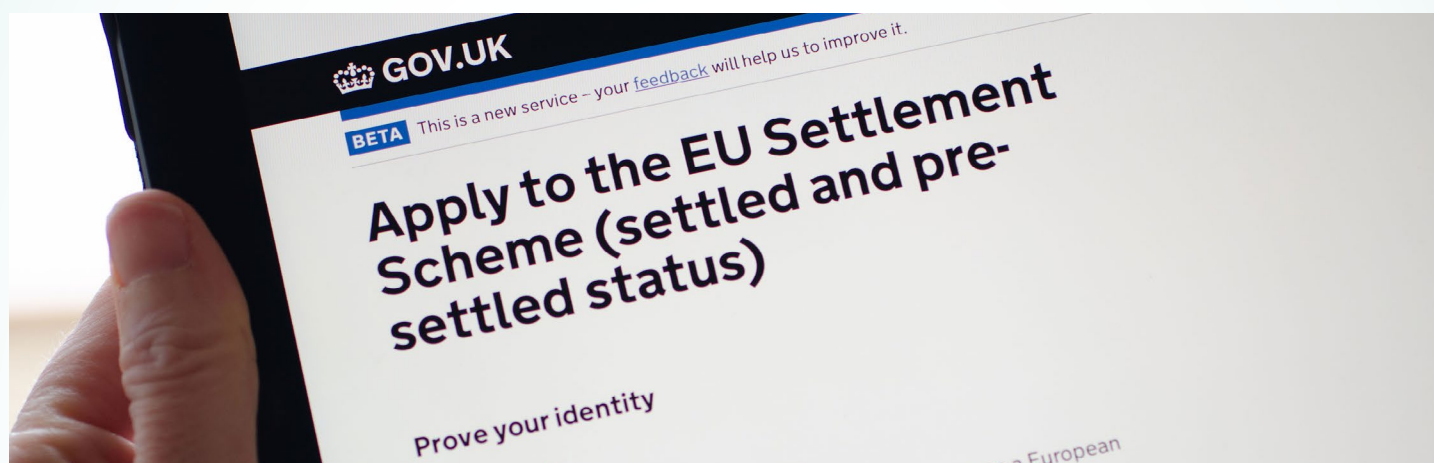




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# Closure of EU Settlement Scheme risks leaving migrant Roma behind

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The closure of the UK's EU Settlement Scheme (EUSS) poses new challenges for migrant Roma in the UK and could further increase existing inequalities, create barriers to work for Roma, and contribute to ongoing marginalisation. Roma communities would benefit from continued frontline support in order to retain their full rights to live and work in the UK.

## Overview

- EU Settlement Scheme requires EU citizens to prove they have settled or pre-settled status to continue to work and access services in the UK
- Interviews with 15 organisations that support Roma identified that Roma faced particular challenges with applying due to language barriers, digital access and Covid-19 restrictions
- Roma will face similar challenges with proving their status, transitioning to settled status or making a late application and would benefit from ongoing frontline support
- Difficulties with obtaining and proving their status could create significant barriers to work. Support measures would improve access to work and accommodation, and reduce inequalities

## Migrant Roma in the UK

Many Roma came to the UK to escape discrimination and marginalisation, find new economic opportunities and have a better life (Dolezalova 2018). Roma are more likely to move into areas that have high rates of deprivation and tend to work in essential but undervalued jobs, such as food packing, meat production, cleaning or working in warehouses. Consequently, many have continued to work throughout the pandemic, despite frequent lack of job security. Difficulties in proving their status or in transitioning to settled status in future would have negative impact not just on Roma, but also on their employers and on the wider community.

We present evidence from interviews with 15 local and national support services from across the UK on difficulties Roma communities have when accessing EUSS and map the challenges arising from the scheme.



## UK's EU Settlement Scheme

The EU Settlement Scheme (EUSS) was launched in March 2019 with the aim of allowing EU citizens residing in the UK to retain their rights whilst limiting the number of migrants arriving in the UK after its departure from the EU. EU citizens residing in the UK on or before 31 December 2020 were entitled to apply to the scheme up until the 30 June 2021 deadline. Following this deadline, EU citizens need to prove that they have either a settled or a pre-settled status in order to continue to be able to remain in the UK, work, access healthcare and other public services, and to be able to rent accommodation or open a bank account.

## The size of the issue

European Roma have historically experienced economic and social marginalisation, exclusion from public life, persecution and segregation in education (Amnesty International 2014). Across Europe, Roma have a higher-incidence long-term medical conditions and have up to 10 years lower life expectancy than non-Roma (EC 2014). The majority of Roma who are now present in the UK arrived after the expansion of the European Union (EU) in 2004 and 2007. There is no accurate data on the number of Roma in the UK. A report from 2013 estimated the number to be at least 197,705 (Brown et al 2013), but the actual number was likely to be higher at the time and to have increased since 2013. Data from schools in England from January 2014 showed 19,030 Roma or Gypsy pupils. In January 2021 it was 26,045 (Gov.uk 2021a). The increase is likely to be driven by incoming migrants. The 2021 census included Roma ethnicity for the first time, but we do not currently have the results. Additionally, there is history of reluctance to self-identify as Roma in official documents, and it is likely that the census data will be an underestimate.

In relation to the EUSS, the government does not collect data on the ethnicity of EUSS applicants. Data is disaggregated by nationality. Consequently, there is no reliable data on how many Roma applied to the EUSS or what status they received. The initial official estimate of the number of EU citizens in the UK when the EUSS was launched was 3.2 million, which turned out to be an underestimate. As of 30 June 2021, 6.02 million applications had been made, with 5.45 million resolved applications and over 400,000 applications waiting to be processed. From the resolved applications, 52% of applicants were granted settled status, 43% pre-settled. The rest were withdrawn, refused or void (Gov.uk 2021b).

We heard from organisations that Roma want to work and be part of their local communities. However, the EUSS scheme and possible difficulties with proving one's status and with transitioning to a settled status would create a significant barrier to work for Roma and could lead to increased inequalities and exclusion and contribute to deprivation.

## Impact of Covid-19

The Covid-19 pandemic impacted negatively on Roma access to the EUSS. During spring 2020, many

## Pre-settled or settled?

- EU citizens who have lived in the UK for a continuous 5-year period are entitled to settled status. With settled status they retain the rights and entitlements they had under the freedom of movement principle.
- EU citizens who have lived in the UK for a shorter period are entitled to a 5-year pre-settled status. Those with a pre-settled status must apply for a settled status before their pre-settled status expires. Failure to apply will result in losing their status and their right to reside in the UK. Those with a pre-settled status have restrictions on their ability to access welfare benefits.
- The UK Government said that EU citizens who have applied to the scheme but whose application was not resolved by the deadline are able to retain their rights until their application is resolved. However, employers and landlords may be wary of employing or renting to those who cannot show a proof of status.

organisations temporarily stopped providing support with applications and started helping with benefit applications or arranging food parcels for families who lost their income. Embassies suspended appointments for issuing ID documents or birth certificates which are necessary for making EUSS applications. The move to online provision and extended waiting times for appointments led to a large backlog and some Roma would have missed the deadline due to the backlog at embassies. Some Roma lost a source of income and temporarily returned to their country of origin, only to find themselves unable to return to the UK for many months due to travel restrictions, losing their continuous residence in the UK.

## Barriers to Roma people accessing EUSS

We conducted fifteen qualitative interviews with local and national organisations from different regions in the UK that supported Roma in accessing the EUSS. Based on these interviews, we present the following findings.

### Language and access to information

**“...the people that we do support mostly do not speak English, and if they do, they are quite reluctant to use it, because they don't have the confidence in their language skills.”**

Roma come to the UK from different countries and consequently speak many different languages. While many are able to speak conversational English, all organisations we spoke to said that Roma applicants often need help with understanding complicated, technical English on application forms and official documentation. Organisations working

with Roma communities told us that Roma tend to rely on word of mouth, social media, media from the country of their origin, and on information from organisations or support workers with whom they have an established relationship.

Even though there has been effort by the government to translate key information and guidance related to the EUSS, translating written documents is not likely to significantly improve access to information by Roma, due to the history of educational segregation and low rates of educational achievement among Roma across Europe. Organisations we spoke to offered support in four to six languages including Romani, Romanian, Bulgarian, Slovak, Czech, Turkish (for some Bulgarian Roma). To do so, the organisations either hired staff from the communities or relied on volunteers. Organisations used social media to communicate with Roma communities and to share information, with some organisations reporting that they used audio-visual material to a very good effect.

### **Incompatibility between digital skills and the application process**

**“You don’t know what the online system is asking you, you don’t know what to click on, you don’t know, I think it’s the fear of how to answer as well.”**

**“They don’t know they need to access it [EUSS] online and they need to prove their status online, and they need to update the status. And when they realise this, then [...] some of them realise they can’t do it, because [...] the contact numbers are not theirs. The mobile number and email address left are not theirs, they’re someone else’s. The person’s who helped them with this.”**

The reliance on digital status will likely lead to future problems. Many Roma have limited IT skills and lack the confidence to complete online applications by themselves because a mistake could have significant consequences that would be difficult to rectify. Many Roma who received pre-settled status will need support with applying for full status. Our data shows that in many cases whole families rely on one email address or have used the email address of someone from outside the family (e.g. a landlord) when making their application. This has already led to issues, like the loss of access to applications, for which people needed help from practitioners and which took a significant period of time to resolve. Reliance on digital status will likely create increased work and pressure on practitioners who

will need to support Roma in accessing their status. Losing access to one’s digital status (even temporarily) could lead to exclusion from legal employment and accommodation, contribute to or increase economic and health inequalities and leave people vulnerable to exploitation.

### **Transitioning from pre-settled to full status**

The organisations we spoke to noted that people were being granted the lesser status (pre-settled) than they were entitled to. They estimated that 10% of Roma applicants (likely to be in the tens of thousands) have the lesser status, even though they should be entitled to the full settled status. They also suggest that people tended to apply for or accept the lesser status because it is easier to receive and they did not have the support that they would need to make a case for a settled status. These people are at risk of not being able to raise the evidence needed to progress to settled status and so lose their status. They would benefit from ongoing support in gathering the required evidence.

Roma women with small children, or older people who are less likely to be in employment, are more at risk. For many couples, all bills and bank accounts are in the man’s name. This makes women less likely to be given a settled status and organisations supported Roma women to demonstrate their presence in the UK through GP and school letters. Further issues can arise when the male partner, who had been in employment and whose name was on all official documentation, passes away. The organisations told us of cases where bereaved women needed extensive support to prove their residence. Ensuring that Roma have access to reliable information about what evidence they will need to transition, providing continuous support with gathering this evidence, and helping people apply for settled status on time would be more efficient than dealing with appeals against refused applications later.

**“...we say to people, can you bring in any documents that you’ve got that might help us decipher where [you worked], what help we can give you and where you are and how long you’ve been here and all the rest of it. They used to just [bring] a carrier bag with all the bits that they’d got, for no rhyme nor reason.”**

### **Managing EUSS on behalf of children and young persons**

Some Roma were not aware that children need to have their own status (Stalford and Humphreys 2020). Those at risk of not having their application submitted on time were children in care (The Children’s Society 2020), young people who live independently and lost contact with their parents and do not have their ID documents, and young children without ID.



The backlog at several embassies, the significant costs and complexities connected with travel to an embassy to obtain an ID document for a child born in the UK, and the long waiting times for the issuing of ID, means that large number of Roma children born in the last two to three years are without a passport, and were consequently not able to apply before the deadline. The Home Office allows late applications on grounds such as not having a valid ID by the deadline. However, the young people estranged from their families or parents of young children are likely to need help with making a case for late application. Those who are still waiting for their ID documents may face barriers to accessing services, like healthcare, due to not having a proof of status and not having applied to the EUSS.

## Recommendations

- **The government should periodically monitor and review progress on access to EUSS, on the number of people that still need to transition to settled status, and whether sufficient support is available to applicants.**
- **Retaining existing expertise in organisations that have experience with supporting Roma with accessing EUSS, for making late applications in the immediate future and with transitioning to settled status in the next five years, will be more cost effective than needing to create new expertise later.**
- **Official guidance and information should be issued using clear jargon-free language and before publication, the clarity of the guidance needs to be tested by user groups. This will improve accessibility of information not only for Roma but for the public in general.**
- **Working with existing organisations, religious and community leaders to develop better communication channels will improve access to reliable information and reduce misinformation.**
- **Ensuring that there is effective support for transitioning to settled status for those who are entitled to it would prevent people from losing their status, and thus becoming undocumented and vulnerable to exploitation. Obtaining settled status will enable people to continue working legally and be part of their community.**

## About the authors

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