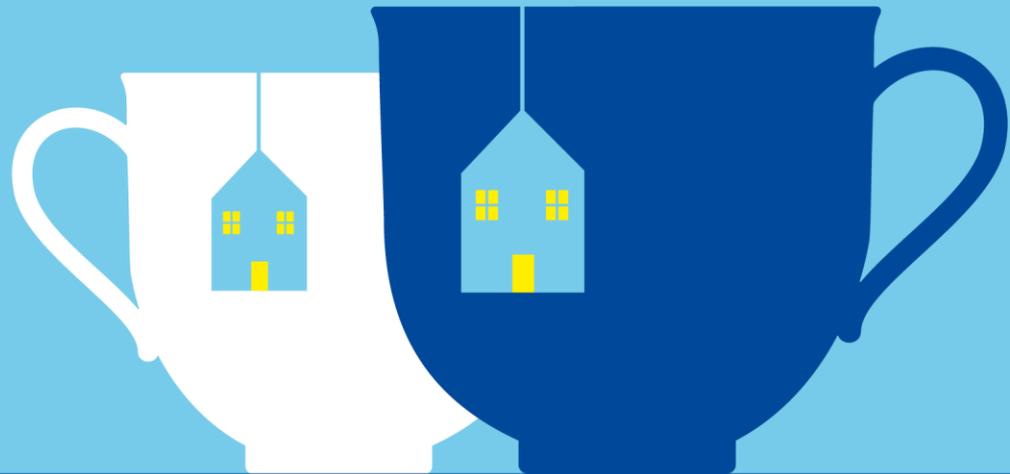


# EU Settlement Scheme Looked After Children and Care Leavers

27 October 2020



# Agenda



**Aims and Objectives**

**Overview of the EU Settlement Scheme**

**How to apply to the scheme**

**Looked after Children**

**Your role as a local authority/HSC Trust**

**Paper Application Form**

**Grant Funding**

**Where to go for further support / Web shop**

**Questions**

# Aims and objectives



## What you will take away from today:

A better understanding of the EU Settlement Scheme, and its achievements so far

A clear understanding of the how the application process works in relation to looked after children

Be aware of your role as a local authority/ Health and Social Care Trust in supporting looked after children who are EU Citizens

Where to go for further support

# Overview of the EU Settlement Scheme



 **What is the EUSS?**

- The EUSS allows EU, EEA and Swiss citizens and their family members **resident in the UK to get the status they will need after Brexit.**
- Status under the scheme will **protect in UK law, the current rights they have under EU law.**
- It is a simple, user-friendly process through which we are **looking for reasons to grant status.**

 **Who needs to apply?**

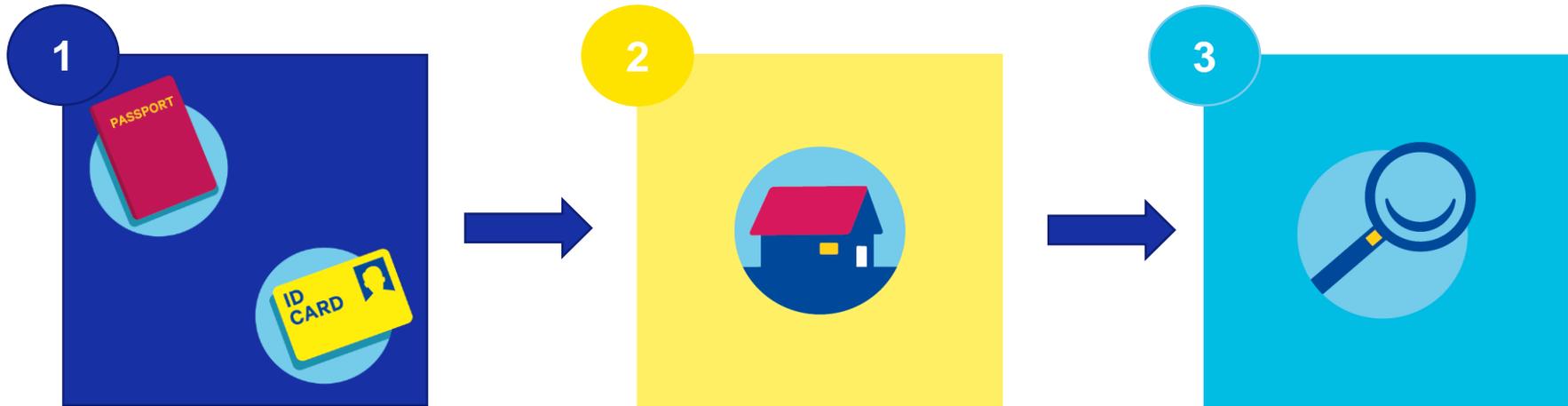
- **EU, EEA and Swiss citizens** and their **non-EU family members.**
- Those **currently resident** in the UK and **want to stay post-Brexit.**
- Individuals with a 'UK **permanent residence** document'
- **Irish citizens do not need to apply** but they can if they want to.
- The **responsibility** to apply rests **with the individual.**

 **How and by when?**

- The Scheme is a **free online application** process.
- Following a **three-step process**, eligible citizens will be granted either pre-settled or settled status.
- Citizens will have until **30 June 2021 to apply.**

**Our starting position is we are looking for reasons to grant people status**

# How to apply to the scheme



## PROOF OF IDENTITY

Use a valid passport or national identity card to verify your identity\*

## PROOF OF RESIDENCE

Provide your National Insurance Number

## CRIMINALITY CHECK

Declare any criminal convictions

*There are three options for completing this stage:*

1. ID Verification App;
2. Post;
3. Appointment at ID Scanner location

*A wide range of alternative evidence can be used if you don't have a NINO.*

*This will not affect the vast majority of EU citizens.*

# Guidance for Local Authorities and HSCTs



## Available at:

<https://www.gov.uk/government/publications/eu-settlement-scheme-looked-after-children-and-care-leavers-guidance>

- Provides information on how local authorities/HSCTs can help LACs and Young People apply to EUSS
- Explains role of LAs/HSCTs
- Pre-application checklist – things to consider before making the application and what you need to provide with an application
- Further sources of information and contacts



# Looked-after children



The Home Office have been working with the Department for Education, Ministry of Justice, and with colleagues in the devolved administrations to ensure adequate support arrangements are in place for eligible looked after children and care leavers. For England, Scotland and Wales Local authorities and for Northern Ireland Health and Social Care Trusts will need to ensure that applications are made on behalf of all looked after children for whom they have full parental responsibility (PR) and who are EU citizens.

Where there is a full care order giving the local authority/ HSC Trusts parental responsibility for a child, the local authority/ HSC Trust can advise and act for the child in relation to an application under the EU Settlement Scheme without the need for such advice and services to be regulated by the OISC or another designated qualifying regulator.

# Looked-after children continued...



In cases where the local authority/Health and Social Care Trust does not hold full PR they will want to raise awareness of the EU Settlement Scheme for those eligible child(ren) and to provide practical support where needed, or signpost to relevant community support where deemed more appropriate to do so.

Local authorities/ HSC Trusts also have continuing duties to support care leavers up to age 25 in England and Wales, age 26 in Scotland, and age 21 in Northern Ireland. Eligible care leavers will be required to make an application to the EU Settlement Scheme. Local authorities/ HSC Trusts should signpost and offer support where necessary.

# Expected role of local authorities / HSC trusts



**The role from local authority/HSC Trust is to provide direct support to looked after children and care leavers whilst applying for settled/pre-settled status and assist with accessing services with status once granted. You should:**

- Identify trained resource to manage and make applications.
- Identify eligible children, including children in shared care arrangements and care leavers.
- Check eligible cases for identity documents on file. Consider where you may need to apply for a new identity document.
- Make/support applications for all eligible children by June 2021.
- Keep an adequate record of applications, status granted and security questions/answers. The status will be attached to an email/number provided.
- Make arrangements to check eligibility of any new children coming into scope by June 2021.
- Start recording nationality and obtaining ID docs for new intake of children going forward, to assist with future status applications/issues.

# Alternative options



**Before making an application to the EU Settlement Scheme on behalf of a looked after child, the LA/HSCT should consider whether the child might be a British citizen.**

- Local authorities/HSC Trusts should act in the best interests of the child to ensure that they are not in the UK unlawfully after 30<sup>th</sup> June 2021.
- If a child is a British Citizen, they are not eligible for leave under the EUSS. This is because British Citizens are not subject to immigration control.
- It is possible to apply to EUSS and for British Citizenship at the same time, or for citizenship at a later date.
- BUT if a child without any immigration status has an outstanding citizenship application on 30<sup>th</sup> June 2021 then they are at risk of being in the UK unlawfully.
- You can check whether a child is a British Citizen by following guidance at <https://www.gov.uk/check-british-citizenship>
- Where a child is being adopted, they may be entitled to citizenship through automatic acquisition. See <https://www.gov.uk/government/publications/automatic-acquisition-nationality-policy-guidance/automatic-acquisition>

# Paper application form



Guidance has been developed for local authorities/HSC Trusts who are required to make applications for looked after children where there is a full care order. The guidance details the paper form route, for complex cases.

You must call the Settlement Resolution Centre (SRC) on **0300 790 0566** who will determine whether a paper form is necessary and issue one where appropriate.

Alternatively, you can make a request for a paper form via the online enquiry form, details of which can be found in the guidance, however the SRC will generally call back before issuing a paper application form.

**The online application route remains the most effective and efficient way to make an application to the EUSS**

We expect that where it is possible to do so, this route is used. We accept your expert assessment of when a paper form might be more appropriate and will ensure that you are able to request a paper form for those specific cases.

# Paper application form continued...



The majority of applications under the European Settlement Scheme are submitted online, but there may be reasons why an EUSS customer in the UK cannot provide the required proof of identity and nationality.

The alternative-ID paper application is a route for EUSS customers struggling to meet the requirements for a valid online application and all cases are handled by a specialist team.

There are two criteria that must be met in order to make a valid application under this route:

- 1. The customer must satisfy that a valid document could not be obtained due to circumstances beyond their control or due to compelling practical or compassionate reasons.**
- 2. The customer must provide alternative evidence of their identity and nationality.**

It is essential that both criteria are met, otherwise the paper application may be delayed or rejected as invalid. Caseworkers will always try to work with social services and applicants to prevent this happening.

# Paper application form continued...



**1.** There is no all-inclusive definition of compelling practical or compassionate and applications are considered pragmatically and compassionately on a case-by-case basis. Throughout the duration of the Scheme we have identified a number of recurring themes and issues preventing applicants from obtaining valid ID. For children in care, we find that the most common barriers are:

- One or both of their parents refuses to sign the passport application or provide supporting evidence.
- Loss of contact with one or both parents, especially the EEA national.
- Long embassy waiting times or need to travel abroad.

**2.** The customer must provide alternative evidence of their identity and nationality.

There is no exhaustive list of alternative documents that can be accepted as alternative evidence of nationality and identity. The most common documents submitted are expired passports, but can also include:

- Documents previously issued by the Home Office.
- Official document from the authorities of the applicant's country of origin, confirming the applicant's nationality and identity.
- Official document issued by the UK authorities country of origin, confirming the applicant's nationality and identity.
- Official documents issued by EEA member state, confirming the applicant's nationality and identity.
- Applicant's biometrics which match an existing government record confirming their identity and nationality.

# Paper application form continued...



When submitting a paper application, please be sure to include:

- A photograph of the applicant
- Original documents
- Contact details for the social worker/caseworker making the application, or a central contact point in case of staff changes
- Signed declaration

It is essential that you record key information in case the Home Office, child, or you need to check on the progress and/or status of the application.



# Safeguarding



Local authorities have reported an increase in safeguarding referrals from EUSS caseworkers. Referrals are made when we consider a child is, or may be:

- in need;
- has suffered harm or is likely to do so;
- a potential victim of human trafficking or child sexual exploitation;
- being cared for as part of a private fostering agreement;
- missing
- unaccompanied
  - this means there is no person with parental responsibility
  - the child is lost or abandoned
  - or the person who has been caring for the child is prevented from providing the child with suitable accommodation and / or care

We make several attempts to obtain details and evidence of the child's care arrangements in the first instance. Referrals will depend upon specifics of the child's situation.

# Local authority survey



- **Thank you** to all local authorities that have provided survey data to help us understand the number of LACs who are eligible to apply to EUSS.
- We are currently analysing this data, to be shared with the Immigration Minister and our Safeguarding User Group.

## Looking forward:

- Setting up teleconferences on specific issues that have been identified as barriers to making successful applications, such as criminality or lack of identity documents
- Working more closely with authorities that have high numbers of children for whom an application has not yet been made
- Repeating the survey in 2021 – to check on progress

# Ongoing support - grant funding



- On 6 March 2020, the Home Office announced a further £8 million of funding to help vulnerable EU citizens apply to the EU Settlement Scheme. This will ensure important information continues to get through to those hardest to reach.
- [72 organisations](#) across the UK have been funded for the 2020-21 period.
- As well as providing funding for charities which have engaged with and supported hundreds of thousands of vulnerable people, there are more than 1,500 Home Office staff working on the EU Settlement Scheme and 250 Settlement Resolution Centre staff providing assistance to applicants with any questions about the scheme or who need help applying.

# Ongoing support



- There is a specific number for Local Authorities/HSC trusts to contact the EU Settlement Resolution centre on: **0300 7900566**. Open Monday to Friday between 8am and 8pm, excluding public holidays, and on Saturday and Sunday between 9.30am and 4.30pm.
- Support for vulnerable EU citizens: [www.gov.uk/help-eu-settlement-scheme](http://www.gov.uk/help-eu-settlement-scheme)
- The EU Settlement Resolution Centre can also be contacted using the online email submission service that sits on gov.uk: <https://eu-settled-status-enquiries.service.gov.uk/what-is-your-question>
- Assisted Digital: **03333 445 675**. You can find more details here: <https://www.gov.uk/government/publications/eu-settlement-scheme-assisted-digital-service>
- Stay informed and sign up to receive a regular Community Bulletin from the Home Office for updates on future engagement e.g. training events and teleconferences <https://gov.smartwebportal.co.uk/homeoffice/public/webform.asp?id=132&id2=413D6B>

# Ongoing support continued



- **Toolkits** have been updated and guidance is available in 26 different languages including Welsh.
- The following community leaders and local authorities toolkit has been created to provide direct communication materials to support you in raising awareness and to publicise the EU Settlement Scheme to your EU citizens  
<https://www.gov.uk/government/publications/eu-settlement-scheme-community-leaders-toolkit>
- Guidance for using the Using the 'EU Exit: ID Document Check' app  
<https://www.gov.uk/guidance/using-the-eu-exit-id-document-check-app>
- The ID Document scanning locations can be found at:  
<https://www.gov.uk/government/publications/eu-settlement-scheme-id-document-scanner-locations>
- **EUSS Web Shop** – materials such as posters, leaflets and briefing information is available free of charge. You can request registration instructions for your local authority from: [eusettlementscheme@homeoffice.gov.uk](mailto:eusettlementscheme@homeoffice.gov.uk).

## Future Teleconferences

- Thursday 26<sup>th</sup> November – fully booked
- Thursday 3<sup>rd</sup> December, 12pm
- Tuesday 22<sup>nd</sup> December, 12pm
- Wednesday 27<sup>th</sup> January 2021, 12pm



[feedback-EUSSsupportmodel@homeoffice.gov.uk](mailto:feedback-EUSSsupportmodel@homeoffice.gov.uk)

