

SETTLED STATUS: WHAT LEVEL OF TAKE-UP CAN WE EXPECT?

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INTRODUCTION

As the UK prepares to leave the EU, European citizens and their family members will need to apply for ‘settled status’ or ‘pre-settled status’ by June 2021 in order to stay in the country. The government is aiming for everyone who is eligible for it to secure settled status—in other words, the target for take-up of the scheme is 100%. We welcome this ambition. The stakes are high. If just 5% of the estimated 3.5m EU citizens living in the UK do not register by the deadline, 170,000 people would be left without statusⁱ.

While there are no directly comparable examples, we should seek to learn what we can from past experiences. This document reviews a range of schemes (both in the immigration field and in other areas of policy), looking at the level of coverage achieved, how take-up was encouraged and any lessons we can learn. It is important to note that the immigration schemes it looks at relate to the regularisation of irregular migrants—this is not a direct comparison as EU citizens’ status is not currently irregular.

Early indications are positive but is government too optimistic?

The first, ‘private beta’ testing phases of the settlement scheme have reported good success ratesⁱⁱ. Around two thirds of all 29,987 applicants to the second private beta test were awarded settled status, and a further third were awarded pre-settled status (where the government could not find five years of residence for an applicant).

But evidence from civil society groups supporting vulnerable individuals during the second pilot has thrown up a range of challenges facing those whose cases are more complexⁱⁱⁱ. And when we consider that only 1% of the applicants in the second private test phase were in the ‘vulnerable’ cohort, and all received significant support with their applications, the success rate of the pilots seems artificial. We also do not know how many of these individuals applied for settled status compared to pre-settled. For the one third awarded pre-settled status in the pilot—is this what they applied for, and should it be counted as a success?

Although we welcome the government’s commitment to waive the £65 fee for applications, the delay in implementing the waiver will mean that fewer vulnerable individuals will be likely to apply during the ‘public beta’ pilot (when the fee is still being collected). This makes it less likely that the difficulties people with more complex cases face with the process will get picked up in testing. In turn this makes it more likely that these people will struggle with their applications once the process is live.

General principles from previous schemes

Many successful regularisation schemes took several attempts (even if they were initially intended as being one-off), involving a learning process over several years as well as a significant resource commitment. Successful regularisation schemes tend to have three phases:

1. a comprehensive **preparatory phase** with coordination of all stakeholders, rigorous planning and agreement over the scope of the scheme;
2. an **implementation phase** by officials with the help of community groups, employers and NGOs; and
3. a **post-regulation phase** to determine the size of the undocumented population and the integration of those who registered.^{iv}

Successful schemes saw governments coordinating with a range of trusted intermediaries including employers, faith and community groups, charities, unions and legal services. Reducing bureaucracy and streamlining the registration process can increase initial uptake significantly, removing the need for repeat schemes.

However, looking at these schemes suggests it will be very difficult to hit 100% coverage even with significant resources put into publicity and outreach campaigns encouraging people to apply. Almost all schemes required a second follow-up phase.

What does this mean for the EU settlement scheme?

The government has made steps similar to other, successful schemes, such as seeking to streamline the process by allowing applicants to complete it online, talking to employers and community organisations about what they can do to help, planning its marketing campaign, and earmarking £9m to fund charities supporting vulnerable applicants.

While acknowledging that preparation has been done, we also must acknowledge that the 100% target means this scheme has to be exceptionally well designed and supported. Here we have converted the broad lessons we have learnt from similar schemes into suggestions for the UK government.

Preparatory phase

Upfront communications push to raise awareness of the scheme and the need to apply. Lessons can be learned from the Digital Switchover campaign, which targeted its communications to reach those who were likely to miss out and the people who interact with them. Comprehensive outreach to civil society, community organisations and employers. [Previous experience](#) suggests applicants can be wary of government entities so working alongside trusted intermediaries is crucial to ensuring as many people apply as possible.

Implementation phase

Establish a fund to enable local authorities and civil society partners in England to provide information, advice and support at the local level, especially to harder to reach and most at-risk EU citizens. We welcome the launch of the Home Office's grant scheme for civil society organisations, but do not expect it to be enough to meet the need—further funding, and over a longer period, will be needed to ensure all who are eligible can obtain their status.

Deliver a coordinated communications, engagement and outreach strategy to target all EU nationals in the UK, with a special focus on harder to reach groups. The Home Office's marketing campaign is, at time of writing, ready to launch but it is important the Home Office regularly reviews its reach and impact, adjusts as necessary and tailors its communications to ensure that vulnerable groups are not missed.

Ensure robust coordination of efforts on Settled Status across Government departments and devolved national authorities.

Monitor progress and step up communication efforts towards the end of the first-round of the scheme.

Post-regularisation phase

Undertake comprehensive research to ascertain how many missed out on the initial phase. This requires robust data to be collected on applications received and statuses granted (including demographic data) to identify gaps. Other sources of data including the Census and Labour Force Survey could be used to monitor how many EU nationals resident in the UK have not been granted settled status^v.

Outline a clear path to regularisation for those who missed out in the first phase, including preparations to either extend the Settled Status scheme or run a second round.

Make grants available to civil society organisations who will need to support those who may have missed out in the initial phase.

Unique context of the settled status scheme

There are three key distinctions worth making to the settled status experience here, compared with the registration schemes we have examined.

1. The EU citizens in the UK are not currently irregular which may make the settled status process easier.
2. Many countries have struggled with awareness raising—people often may not realise they need to register. The high-profile nature of Brexit may go some way to initial awareness raising, giving the UK government a ‘head-start’ in reaching out to those eligible for settled status—although this should not be overestimated. Research has shown that many people are confused about whether they need to apply, and rumours and false information are widespread^{vi}.
3. Despite these advantages, the UK has very little experience of undergoing a similarly widespread regularisation scheme. Many unforeseen issues can derail a scheme’s initial plan. This shows how important it is that the government accept the recommendations outlined at the start of this document if the settled status scheme is to be a success.

PAST EXAMPLES: REGULARISATION SCHEMES

Implementation of the Settled Status scheme is expected to cost in the region of £500m^{vii}. But a breakdown showing the Home Office's budget for marketing and communications, Assisted Digital and other support has not been made public, so it is difficult to do a like-for-like comparison between the government's investment in the EU Settlement scheme and regularisation schemes run in other countries. The following table gives an indication of scale of investment, coverage, timescales and lessons learned for several similar schemes.

Nation	Scheme	Investment	Coverage and timescale	Lessons learned
UK	<p>The Family Indefinite Leave to Remain (ILR) Amnesty: 2003</p> <p>One of a small number of ad hoc regularisation schemes in the UK. Announced by the Home Secretary on 24 October 2003, this 'one off exercise' allowed certain asylum-seeking families who had been in the UK for four or more years to obtain settlement.</p>	<p>Unclear</p> <p>Very little investment in publicising the scheme and high barrier to entry—families had to pay £1,500 before they could apply for citizenship.</p>	<p>2003-2007: 24,000 registered, 45% of applicants.^{viii}</p>	<p>Take-up was low, possibly due to the lack of publicity and expensive and complex application.</p>
Spain	<p>Spanish regularisation programme: 2005</p> <p>Part of a wide programme to fight irregular employment in Spain. This was the third attempt at a mass regularisation scheme in 20 years.</p>	<p>€12.7m (€22 per successful applicant)</p> <p>742 information points set up across the country, managed by NGOs and trade unions.</p> <p>An extra 1,700 administrative employees were hired and €3.4m spent on translators.</p> <p>Coordinated electronic databases and</p>	<p>March-May 2005: over 691,000 applications,^{ix} 77% of the estimated eligible population in just three months.</p> <p>580,000 (84%) of applications were successful.</p>	<p>Short time period required an intense injection of funds.</p> <p>Learning from past attempts. Spanish government learnt from previous unsuccessful regularisation schemes and invested far more in organisational structure. Five previous regularisation programmes from 1985-2004 combined had a slightly higher uptake than the 2005 scheme.</p>

		tracking system sharing information across several ministries.		Incentive for employers to participate , as they were notified that the regularisation would be followed by a marked increase in workplace inspections.
Greece	Greek regularisation scheme: 2005-6 Aimed to decrease irregular employment of migrant populations all over Greece. Followed unsuccessful regularisation schemes in 1998 and 2001.	Unclear but significantly lower than Spain's €12.7m. Although the government spend was relatively low, huge efforts were made to streamline the application process and reduce bureaucracy. This was a departure from previous attempts and may account for improved take-up. Greece also put the onus on employers, levying fines if they did not help to register employees or employed irregular migrants. Government relied on civil society for awareness raising and outreach.	2005-2006: 170,000 applications (between 42-85% of eligible population) ^x This is Greece's most successful programme even though estimates are there were 200,000-400,000 irregular migrants in Greece at this time. The programme featured barriers to take up even with attempts to reduce them e.g. undertrained staff and issues with documentation. The implementation difficulties and subsequent protests by migrant communities led to an extension of the deadline for applications by several months.	Bureaucracy can be a huge obstacle to uptake. Streamlining the process can prevent secondary schemes from having to be run. Staffing issues led to delays. Large numbers of applicants combined with staffing shortages led to a backlog of applications. Requirements were relaxed during the programme to ease these problems. Deadline extensions despite preparation. The need to extend the deadline, even after the experience of two other regularisation schemes in five years, demonstrates the likelihood of regularisation schemes overrunning. High levels of publicity compared to previous schemes, which may have increased uptake.
India	Aadhaar Programme, 2010	\$1.4bn as of 2018^{xii} (\$1.24 per person)	2010-2017: Over 1.13bn people,^{xiii} 99% of the adult, regular population (according	Attaching incentives. The scheme was initially voluntary and was enthusiastically embraced because it was seen to be a 'door opener' to a

	<p>Aimed at all 1.2 billion Indian citizens, the programme aimed to ensure better delivery of government subsidies and avoid benefit fraud, through recording biometric data and issuing a unique ID number for all of India's population. The programme has been described as 'the most ambitious biometric deployment in history'^{xi} and aimed for completion within three years.</p>	<p>36,000 roaming portable enrolment stations and 87,000 certified enrolment operators managed through 83 public and private agencies.</p> <p>Data linkages between agencies were a central part of the scheme to increase efficiency in delivery.</p>	<p>to government announcement).</p> <p>The government was enrolling a million people a day at one stage. The scheme reached 1 billion people over five and half years, and by March 2017 over 1.13 billion people—over 99% of the population—were registered.</p>	<p>range of benefits for rural or marginalised Indians (eg. opening a bank account, getting a driver's licence as well as receiving government subsidies). It later became mandatory which has been controversial.</p> <p>Less bureaucratic barriers may have increased uptake. Barriers to access were low, simply scanning fingerprints or retina. The scheme therefore managed to reach homeless and marginalised people.</p> <p>Data protection issues. The linkages between so many agencies, both public and private, have raised significant concerns about data privacy. Some cyber security experts claim that safeguards have been inadequate, and there have been early media reports of data being sold on to third parties.</p>
<p>United States of America</p>	<p>Deferred Action for Childhood Arrivals (DACA): 2012</p> <p>US scheme aimed to provide two year deportation relief and working rights for unauthorised migrants who arrived in the US as children and have lived there ever since, attended high school and have no criminal record—estimated at 1.7-1.9m people.</p>	<p>Unclear, varied by location.</p> <p>The resources committed varied by location. Greater investment generally led to success but it is impossible to draw clear links as money spent is measured by city, while uptake is measured by state.</p> <p>New York City invested \$27m between 2013-2017.</p>	<p>2012-2016: 820,000 applications,^{xiv} 43% of the eligible population.</p> <p>This has increased slightly since 2016 but the figures in 2017 suggest coverage is still only between 50-66% of the eligible population.</p> <p>There were with dramatic differences by nationality.</p>	<p>No regional data so impossible to draw causal links between investment and coverage.</p> <p>Total eligible population unknown, as by definition they are undocumented.</p> <p>Coordination with a range of actors. In San Francisco coordination between charities, schools, unions, legal services and community organisations backed by sympathetic local government funding and agencies seem to have correlated with increased signup, we cannot say</p>

		<p>San Francisco invested \$20m, including building a \$10m labour centre and £350,000 in grants to organisations.</p> <p>Houston invests much less, Texas has a comparatively smaller uptake.</p> <p>The system was designed deliberately without linkages to other government departments, to assuage concerns around data being used to target undocumented migrants by immigration enforcement.</p>	<p>Indian, Korean, Chinese immigrants were much more likely to sign up and be approved than migrants from Jamaica, Nigeria or Trinidad and Tobago.</p>	<p>for sure if this was the cause though.</p> <p>Political and social makeup of each regional government can massively affect the outcome. If that region has a sympathetic local government (e.g. San Francisco), then signup may be much higher.</p> <p>No central government funding for the scheme contributed to the variable regional approaches.</p> <p>Data protection issues. The lack of linkages to other agencies has so far prevented leaks of data—either to other agencies or to third parties. There are concerns about whether this will remain under the new presidential administration.</p>
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PAST EXAMPLES: NON-REGULARISATION SCHEMES IN THE UK

Scheme	Investment	Coverage and timescale	Lessons learned
<p>Digital TV switchover UK: 2007-2012^{xv}</p> <p>Discontinuing all analogue terrestrial television broadcasts and replace them with digital terrestrial signals. This involved a large publicity campaign, to raise awareness and solve technological issues before the analogue signal was discontinued.</p>	<p>£200m over 5 years. (£7.50 per household with a TV license)</p> <p>Project outsourced to Digital UK.</p> <p>Awareness raising was focussed primarily on people who were likely to miss out and the people who interact with them.</p> <p>Outreach included direct mailings, TV ads specifically addressed to older and disabled audiences, and community-targeted media in GP surgeries, post offices and pharmacies.</p>	<p>2007-2012: 100%</p> <p>97% had signed up on the eve of the switchover and the rest signed up over the following day or two.</p>	<p>Common elements with settled status. There are many common themes with EU settled status as most challenging demographics to reach were elderly, rural and not technologically literate.</p> <p>Begin early. The first advert was two years before the switchover happened.</p> <p>Work with the third sector. Digital UK worked with local charities to reach out to the older people and get materials out through these.</p> <p>Map your stakeholders. Digital UK also set up Digital Outreach, a national consortium of charities, to identify local charity partners in each region. They then passed on information to these bodies through the consortium.</p> <p>Publicised deadlines are important—Digital UK credit their success to building around a specific ‘moment’ where publicity is highest and a lot of people signed up (in this case Digital Switchover Day).</p>
<p>Workplace pension scheme</p>		<p>2008-2018: Coverage is</p>	<p>Putting impetus on employer for registering employees</p>

<p>UK: 2008-2017</p> <p>Auto-enrolment for every workplace to make sure employees are saving for their pension. Applies to everyone in work aged between 22 and state pension age who earns more than £8,105 a year and isn't already in a workplace pension scheme. Legislation passed in 2008 and all firms had to join between 2012 and January 2017.</p>	<p>£1bn budgeted cost up to 2018^{xvi} (£105.26 per person enrolled)</p> <p>Burden on employer to ensure coverage: Government fines employers who do not auto-enrol employees.</p> <p>Workplaces had to do this between 2012-2017, with larger workplaces having to sign up all employees earlier.</p> <p>Included a widespread TV, radio and print advertising campaign which had a broad reach.</p>	<p>73% of UK employees.^{xvii}</p> <p>In this case it is better to think of who has opted out, as opt-in is the default. Currently 10% of members opt-out of saving into a workplace pension and the government believes this number will leap to 21.7% in 2018 and 27.5% in 2019, once the scheme is fully rolled out.</p> <p>It is important to remember this is usually a conscious decision to opt-out rather than people missing out.</p>	<p>removes cost from the state and works very effectively for covering those in work.</p> <p>Making opt-in the default also means that coverage is immediately higher.</p> <p>Investment in the publicity campaign may have contributed to success. The advertising campaign, with the recognisable 'Workie' mascot, was far reaching and may have helped reduce the amount of people who dropped out of the scheme.</p>
<p>Universal Credit UK: 2013-present</p> <p>Universal Credit combines six so-called 'legacy' benefits (including unemployment benefit, tax credits and housing benefit) into one benefit paid monthly to claimants. Trials have finished but full rollout not due until 2022.</p>	<p>£2bn on the rollout as of 2018^{xviii} (£285.71 per person expected to use the scheme once it is up and running)</p> <p>Universal Credit to become the mandatory method for all benefits payments by 2022/2023.</p> <p>This is much higher than the initial projected costs, and has been raised to reduce up-front costs to those who want to sign-up.</p> <p>Have worked with Citizen's Advice to provide information and keep track of complaints and worries.</p>	<p>2013-2018: 870,000</p> <p>To be rolled out to 7 million people from 2022/2023 so too early to tell for figures.</p>	<p>Too early to tell success. Scheme has not yet been fully rolled out so cannot yet draw success or failure from these figures.</p> <p>Very high-profile scheme due to bureaucratic problems. This may actually mean final uptake is higher.</p> <p>Simplify the process. Universal credit initially gathered a lot of criticism for having a confusing system which was difficult to navigate.</p> <p>Get the technology right. The scheme was mostly done online. Much of the increased cost was linked with software problems and duplication of systems needed to pay out new</p>

	In order to combat worries from administrative errors the state recently made the telephone helpline free.		and legacy benefits. Since settled status is also likely to be mostly done online it is crucial that the systems are made more efficient.
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SUMMARY OF LESSONS MOST APPLICABLE TO THE UK SCHEME

The stated aim for settled status is 100% coverage of those eligible by 2021 when the deadline for applications closes. By looking at a range of schemes around the world several key lessons appear. These seem to be common across different countries and contexts, so we can compare them against current preparations on the EU settlement scheme.

Funding

Any scheme that came close to full coverage of those eligible was well funded. Spain's 2005 programme, the Aadhaar scheme and the rollout of Workplace Pension scheme all had large amounts of resources set aside for new systems and a public awareness campaign. Although it is difficult to do a like-for-like comparison without knowing the scale of investment in marketing and other support (eg the Assisted Digital scheme to help those unfamiliar with IT and the Settlement Resolution Centre telephone line), the £9m earmarked by the government for supporting vulnerable groups will not be sufficient.

Further funding (at the very least for a second year but probably longer) will be needed. The planned communications campaign expects broad reach, but it is important that this is regularly reviewed by the Home Office and that communications are targeted with the needs and preferences of vulnerable groups in mind.

Stakeholders networks

Successful schemes mapped key stakeholders in the scheme and coordinated them with intermediaries to reach them. Digital UK identified a similar demographic likely to miss out on the digital switchover as might now miss out on settled status. To reach this group effectively they identified a range of grass-roots community groups who could help and worked with them as trusted intermediaries. In its preparations for the settlement scheme, the Home Office has engaged in outreach with relevant groups, but has not publicly shared its modelling of those likely to miss out and has not included straight awareness-raising activities (where these activities are not linked directly to applications received) in the remit of its grant funding pot. We would encourage the Home Office to share details of its modelling and to consider additional funding for awareness-raising activities among those particularly at risk of missing out.

Simplicity

Streamlining the application process was a consistent factor in a scheme's success. This was the major difference in Greece's 2005/6 scheme which was considered far more of a success than its predecessors. The settlement scheme app was designed to fulfil this role. Although the pilot phases report positive results, the Home Office's efforts to address concerns about the accessibility of the application process for vulnerable groups will be key to achieving its coverage target.

Flexibility

Finally, despite best attempts, nearly all schemes end up encountering unforeseen problems which require a deadline extension or a second attempt. Countries such as Spain and Greece regularly carry out regularisations, yet still have to repeat the process. We do not yet know what plans the Home Office has in place for this likely eventuality.

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The Transition Advice Fund (TAF) aims to ensure that people who are eligible can secure their right to Settled Status—particularly those who need help to navigate the process or who risk failing to secure their status. We want to build the capacity of the voluntary sector to support people who need this sort of help, including: children and young people; carers; people with disability, long-term physical ill-health or mental health problems; people who have experienced domestic violence or trafficking; those with poor English language skills or who face digital exclusion; and people in care homes. TAF is pooled fund established by Unbound Philanthropy, the Paul Hamlyn Foundation, Barrow Cadbury Trust and the Legal Education Foundation, and managed on a day-to-day basis by NPC.