

# **EU Settlement Scheme: Post-deadline experiences and challenges for Roma communities in London**

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## About us:

The Roma Support Group (RSG), the first Roma-led registered charity established in the UK, has been working with Roma refugees and migrants since 1998. Following the Brexit referendum the UK Government has developed and implemented the EU Settlement Scheme (EUSS).<sup>1</sup> Since then the RSG has focused on:

- Supporting Roma migrants to successfully go through the Brexit process.
- Supporting national, regional, and local authorities and organisations' efforts to assist Roma .
- Raising awareness of the challenges Roma face in relation to the Brexit and the EU Settlement Scheme (EUSS).

RSG continues to provide support and advocacy for Roma communities in relation to Brexit and EUSS.

## Acknowledgements

Roma Support Group would like to thank Roma community members who took part in the group discussions, interviews and surveys that inform this report, New Europeans for collecting and providing access to data on Roma, and Dr Marie Godin at the University of Leicester and the Centre on Migration, Policy and Society (COMPAS) at the University of Oxford for supporting data collection through interviews and group discussions.

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1. Home Office - [Apply to the EU Settlement Scheme \(settled and pre-settled status\)](#)

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# Executive Summary

This report examines and summarises the experiences of Roma communities in London with the EU Settlement Scheme (EUSS) following the EUSS deadline. It includes findings from surveys, focus group meetings and interviews carried out by RSG in London between 2020 and 2023. It highlights issues around accessing digital EUSS status, proving EUSS status and EU-UK travel experiences. The experiences identified confirm concerns raised by those supporting Roma communities ahead of the transition period ending.

The main findings include:

- Over 30% of Roma in London are not able to prove their immigration status when asked.
- A disproportionate number of Roma in London have pre-settled status, with nearly two thirds in this category.
- Over 70% of Roma people in London report needing help to access and update EUSS digitally.
- 75% of Roma people in London do not know when and how to update to settled status.
- All Roma groups engaged in this analysis (Romanian, Slovak and Polish Roma) reported negative travel experiences, notably Romanian Roma.

Currently, the majority of Roma people rely on support from friends, family, charities or private third parties to access and/or prove their EUSS immigration status. As a result, Roma people have developed coping mechanisms, which include carrying a printed copy of the EUSS status confirmation letter with them, reinforcing the case for physical proof of status for those that need it.

# Methodology

The data presented in this report was collected through EUSS related work undertaken by RSG from 2020 to 2023. This included two surveys with responses from a total of 93 Roma individuals in London, focus groups engaging 21 Roma people, and interviews with 9 Roma individuals. The research engaged Romanian, Polish and Slovak Roma, all of whom are Londoners.

In July 2020, RSG supported research coordinated by New Europeans investigated the [implications of the EUSS digital status for EU citizens in the UK](#).<sup>2</sup> In total 61 Roma in London contributed to this research and the data included here reflects their contributions.

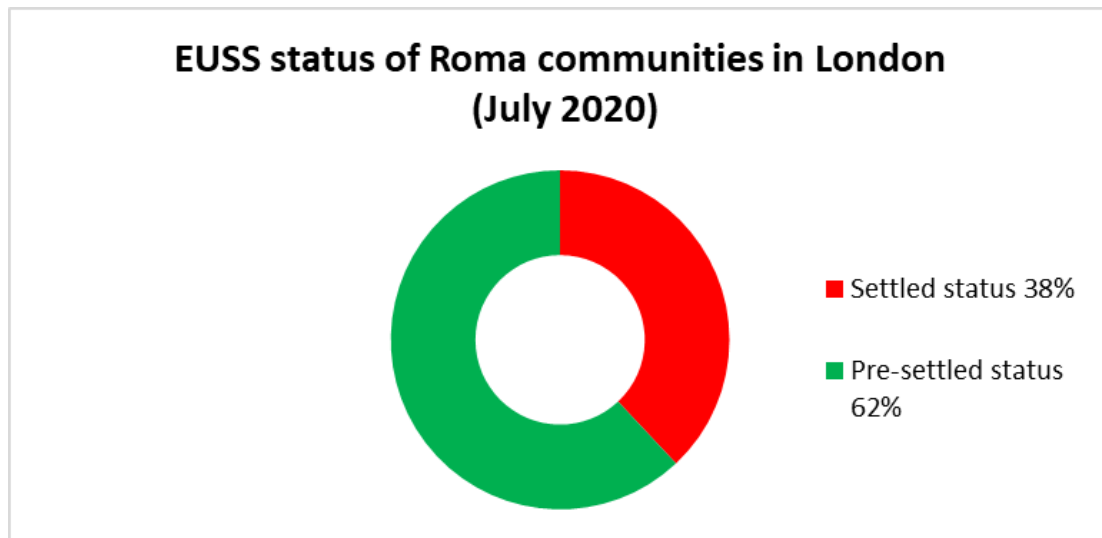
In February and March 2022, RSG surveyed a total of 32 Roma community members in London to gather information on the impact of the EUSS deadline. We then conducted a series of focus groups and interviews with 21 members of London's Roma communities. This work investigated the impact of digital exclusion, Roma communities' access to services and immigration status, their ability to prove immigration status, EU-UK travel experiences and the day-to-day challenges arising from digital only immigration status. Some of the findings are available in the article *The EUSS and the Digitalization of Everyday Bordering: The Case of Roma People in the UK* from the Birmingham University Institute for Research into Superdiversity (IRiS).<sup>3</sup> While the sample size is relatively small and we cannot draw conclusions reflective of the whole Roma population in London, the data yields crucial insights into the experiences of Roma people with the EU Settlement Scheme. However, further research is needed to develop a more nuanced understanding of the challenges confronting Roma communities beyond London.

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2. New Europeans - [Digital Status: handle with care](#) 2020

3. Institute for Research into Superdiversity - [Migration, displacement and diversity: the IRiS anthology](#) 2023

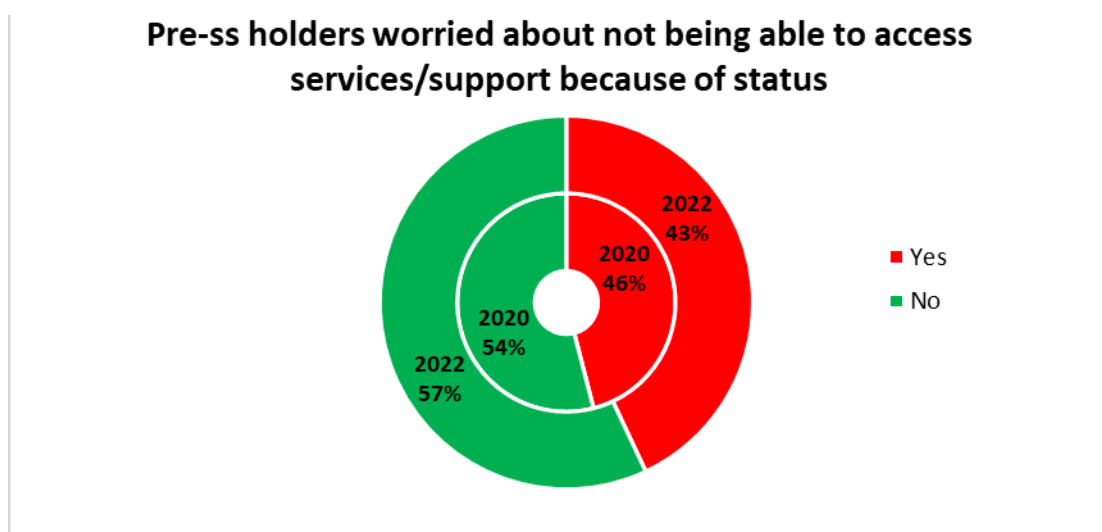
## Length of time living in the UK and EUSS immigration status acquired



In July 2020, 45.9% of the 61 Roma from London surveyed reported living in the UK for less than 5 years. The 2021 Census showed a similar figure for Roma in London with 48.1% living in the UK for less than 5 years.

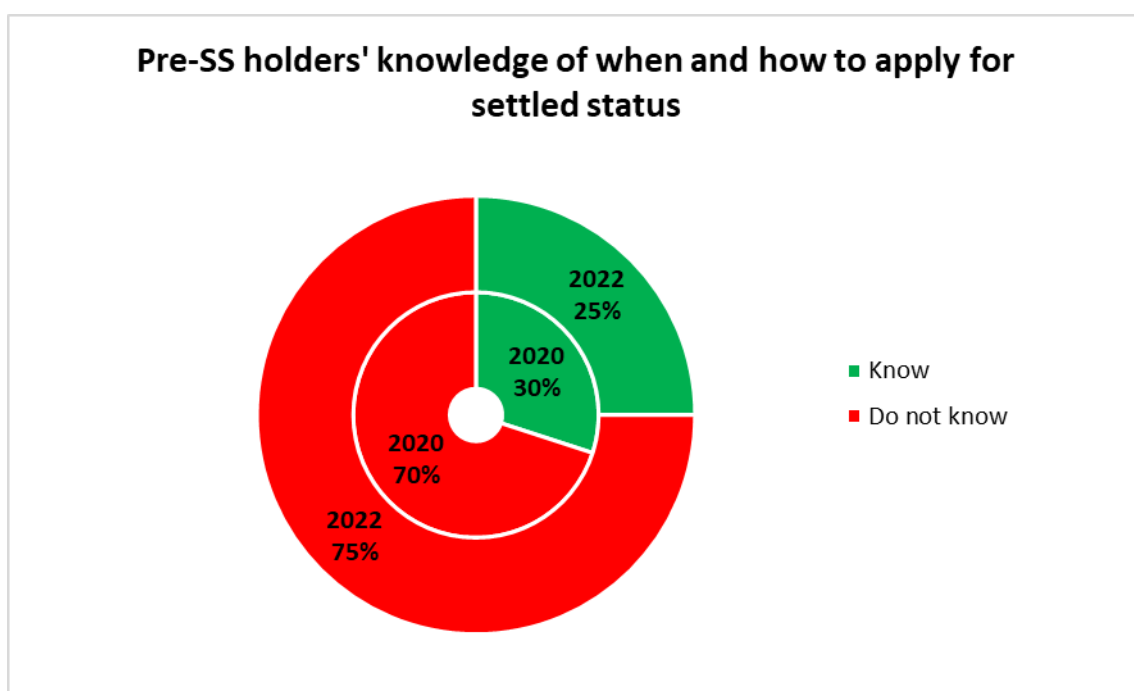
As of July 2020, 62% of Roma reported that they had been granted pre-settled status (pre-SS) while 38% had been granted settled status (SS). This data is consistent with the findings of our previous reports, available in the resources section of this report. This indicates an overrepresentation of Roma in the pre-settled status holder cohort. According to Home Office statistics 41% of EU citizens have pre-SS and 51% have SS. There are no assessments of the number of Roma who received negative EUSS outcomes, or made late applications.

Access to rights and entitlements for pre-SS holders is dependent on meeting additional legal requirements, such as the habitual residence test.<sup>4</sup> Significant proportions of pre-SS holders are worried about not being able to access support because of their status, and might need assistance to meet the additional legal requirements.



## Updating from pre-settled status to settled status

The data above confirms that Roma will be disproportionately affected by the need to update from pre-settled status to settled status. Furthermore, barriers experienced by Roma will make it difficult for them to go through the updating process. In July 2020, only 30% of Roma in London with pre-SS reported that they knew how and when to apply for SS. This went down to 25% when we asked the same question in February 2022.



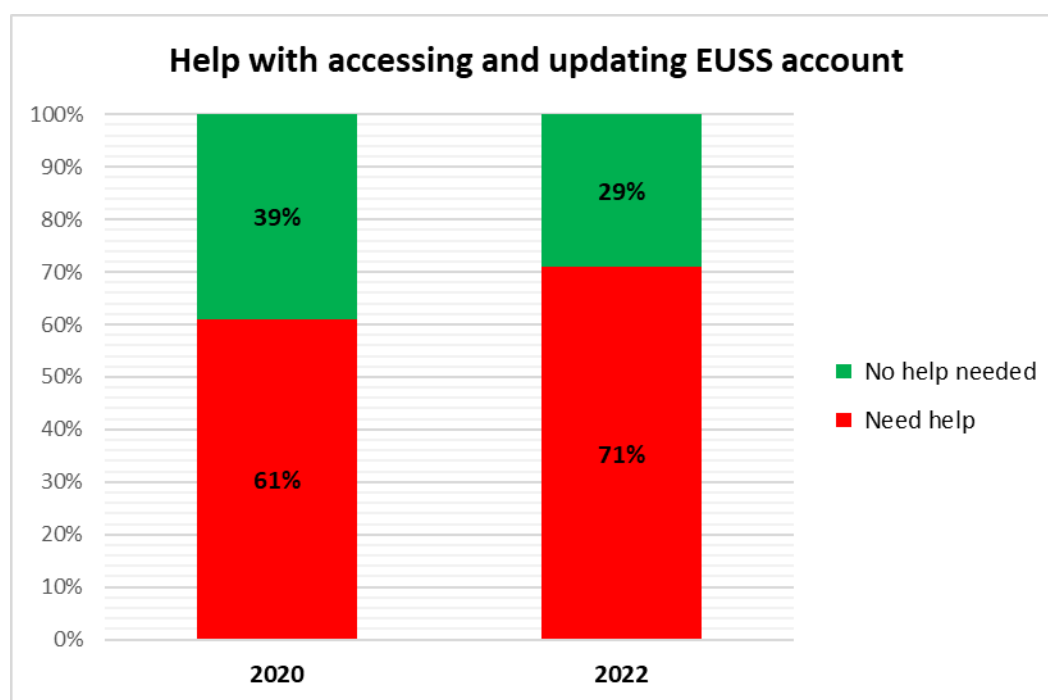
Following a case brought to the High Court by the Independent Monitoring Authority (IMA), those with pre-SS will no longer lose their rights to live, work and study in the UK if they fail to apply for SS after their pre-SS expires. Recent changes announced by the Home Office give all pre-SS holders a two-year extension to their status. The Home Office confirmed that an automated process will upgrade pre-SS holders to SS, although details of this remain unclear at the date of publication. While an automated EUSS update process could benefit many Roma who do not know how or when to update their status, it should be recognised that the process may not be effective and straightforward for all.

## EUSS account aftercare process

We acknowledge that the support put in place by the Home Office and the joint efforts of charity organisations have considerably increased the likelihood of Roma individuals to successfully go through the EUSS.

However, the EUSS has been designed to grant applicants a digital only immigration status. This can only be accessed and used digitally as detailed in Home Office guidance.<sup>5</sup> Previous research warned that millions of EU Citizens in the UK may face discrimination and other issues through not having physical evidence of immigration status.<sup>6</sup>

As the data shows, the aftercare process and issues arising from being unable to access or update EUSS accounts continue to pose problems for Roma. In July 2020, 39% of Roma in London reported that they will be the ones taking care of their EUSS aftercare process. In February 2022, the percentage went down to 29%.



Roma people experience a number of barriers to accessing and updating their immigration status, such as high levels of digital exclusion, illiteracy and low English proficiency. Currently, those Roma who still need help accessing their online EUSS account rely heavily on support from family members, friends, charities, and in some cases, on paid assistance.

This situation has already led to problems among Roma people who experience issues accessing their EUSS accounts. One important example is the challenge some Roma people experience when linking their immigration status to their new passport or National ID document. This can result in difficulties travelling internationally, such as being held at borders for further checks or in some cases not being allowed to travel.



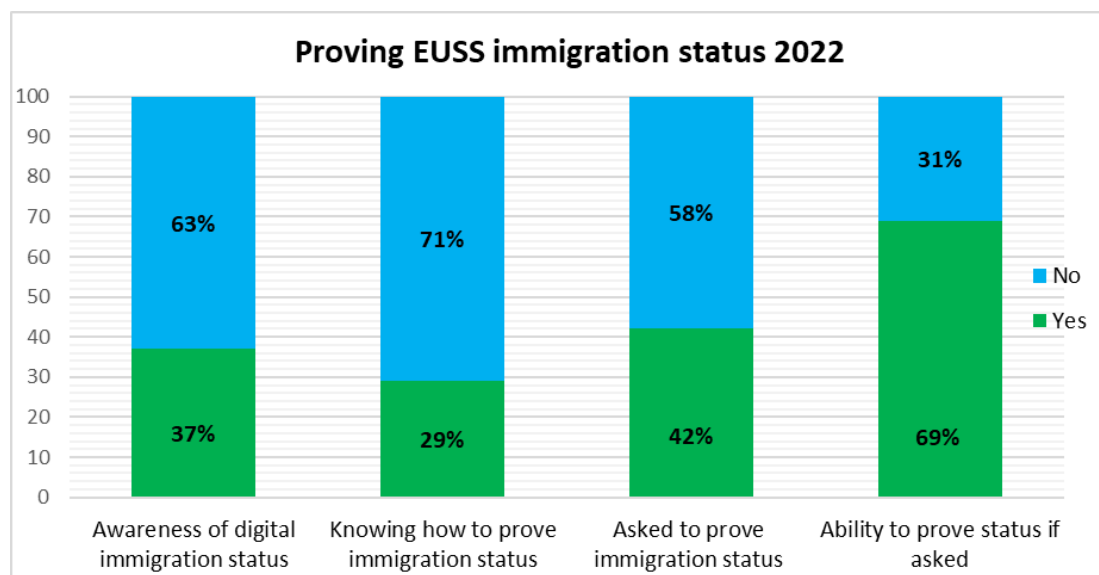
## Proving immigration status

*'I started this new job at a hotel. After I started they asked me for the share code. I had no idea what it was or how I can give it to them. They did not pay me for two or three weeks, until I was able to give them the code.'* (Romanian Roma, August 2022)

Our research indicates that Roma people rely heavily on their printed EUSS status confirmation letters when proving EUSS status. Immediately after 1<sup>st</sup> July 2021, people reported to us that printed EUSS letters were being used and accepted. More recently however, we have been hearing from increasing numbers of Roma that they are required to prove their immigration status digitally.

Most of the checks are carried out by employers, landlords and benefits agencies. But people have also reported being checked by lenders, health services or other public services. Such checks usually occur when people are applying for a new job, seeking to rent a new property or when trying to access public support or benefits. This is referred to by some academics as an example of “everyday bordering”.<sup>7</sup> A number of Roma in London were granted Indefinite Leave to Remain (ILR) after migrating to the UK before their countries joined the EU in 2004. RSG’s frontline support in London indicates that ILR holders are regularly asked to provide share codes to prove their status, which is impossible as ILR status is only proven physically.

As a result of the inability to prove their status, the most significant issue people have reported was the need to make a second or third application for benefits, which places an unnecessary burden on the system or prevents them from travelling to the UK. Similarly, others have reported being refused mortgages, driving licenses, student finance or having to miss medical appointments and needing to wait for another.

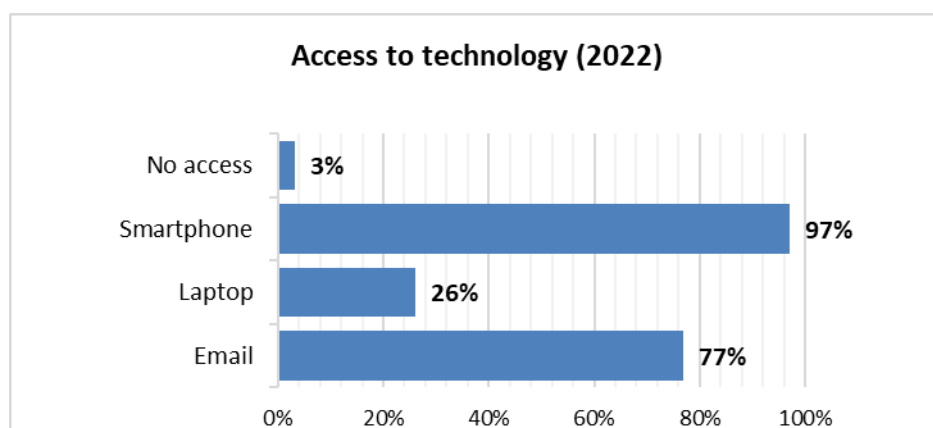


In 2022, 42% of Roma contributing to our survey reported being asked to prove their EUSS digital status. 69% were able to prove their immigration status, in many cases through support from their friends, family and third parties. 15% of Roma, who declared being able to prove immigration status, have paid someone to help them to do so. However, 31% were still not able to prove their immigration status which represents a huge problem both for public authorities and for Roma communities.

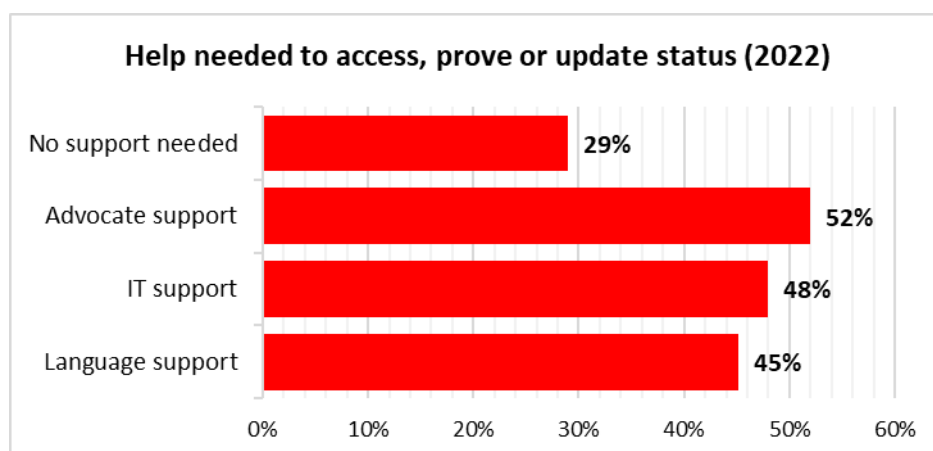
## Digital exclusion

The data collected from surveys and interviews shows the impact of digital exclusion on Roma communities and how digital-only immigration status can exacerbate pre-existing inequalities and social exclusion.

The research found that a large number of Roma people need to gain skills to engage with digital platforms in a meaningful way. The digital-only immigration status is a new concept for all communities, but it is an abstract one for many Roma people and requires more detailed and practical explanation. Furthermore, Roma communities face a lack of digital skills and adequate technology and equipment.



Access to technology is a key element of digital exclusion faced by Roma communities. Our 2022 survey found that while 97% of respondents had access to a smartphone only 26% had access to a laptop or tablet. Further research on the extent of digital exclusion among Roma communities (to be published in summer 2024), found that only 9% of Roma respondents had access to their own Wi-Fi, and only 20% had mobile phone internet access. However, this alone does not account for the issues highlighted in the section above. A lack of, or low levels of literacy and digital skills needed to access online immigration status are also major factors of Roma communities' digital exclusion.



## **Travel experiences**

Our 2022 research found that while both Romanian and Polish Roma experience issues travelling to and from the UK following the end of the EUSS grace period, Romanian Roma are disproportionately affected.

The research found that after the grace period ended, both Polish and Romanian Roma experienced more practical and emotional difficulties when travelling to or from the UK. There are, however, distinct differences between the experiences of each group. Polish Roma generally reported having their EUSS status checked only at the UK border, while Romanian Roma reported being questioned both in Romania and at the UK border.

The majority of people from both groups said that they were unaware of their digital EUSS account and therefore had difficulties confirming their EUSS at the border. In August 2022, Polish Roma noted that they usually carried a printed copy of their EUSS confirmation email from the Home Office and all reported that this method was accepted as proof of status at the UK border. On the other hand, the majority of Romanian Roma did not carry printed copies of their Home Office confirmation letter. They reported being unable to access their EUSS confirmation email, or being unaware of its existence and unable to identify it, and therefore had more difficulties proving their status when travelling.

This results in Romanian Roma being prevented from boarding flights in Romania or being held at the UK border for hours until they can confirm their EUSS status. One of the Romanian Roma interviewees reported experiencing both issues: on one occasion she was not allowed to board a flight to London as she could not confirm her status, and on another occasion she spent three hours at Luton airport for the same reason. She had her EUSS confirmation email saved on her phone but was unable to access it as she is illiterate, and despite her requests border staff refused to check her phone themselves. Another Romanian Roma travelling to the UK with his friend, both holding pre-SS, shared that his friend was not permitted to enter the country after landing in England and was returned to Romania. We could not confirm the reason this happened.

Anecdotal evidence suggests that Bulgarian Roma experience the same problems as Romanian Roma when travelling to and from the UK, however formal research is required to gain a better understanding of their situation.

## **EU Settlement Scheme and Roma coping strategies**

Focus groups and interviews, carried out by the RSG in 2022, revealed various "coping strategies" in response to the EUSS as a digital-only immigration status. This exploratory research highlights the need to further investigate the daily impacts of this, especially within Roma communities.

### **Avoiding the system:**

*'Some people went to work on the black market because they didn't know how to procure this share code.'* (C. Romanian Roma, London 2022)

Having to update digital EUSS accounts whenever personal details (e.g. phone numbers) change, as well as frequent online checks of people's status, results in a fear that these checks can cause issues that result in expulsion. Our research has found that to counter this risk or because of being unable to use the digital system, some Roma people avoid interacting with the system at all. As reported by Roma people we interviewed in August- September 2022 this has resulted in people taking jobs in the informal labour market or renting accommodation from rogue landlords, making them vulnerable to exploitation by unregulated employers or landlords.

### **Misusing the system:**

As mentioned in the section above, many Roma people who lack trust in the system or are unable to access it, show copies of emails or letters from the Home Office notifying them that they have been granted EUSS status, or give printed copies of their temporary share code to prove their status. This strategy creates uncertainty as while some employers or landlords may accept this as proof, it is not guaranteed to be successful, making engagement with employers, public services and landlords unpredictable.

### **Relying on others:**

*'I can't read or log in. I always have to ask someone else to help me. But if I could have it [physical proof of status] in my pocket, it would be easier.'* (N. - Romanian Roma, London 2022)

The lack of alternative methods of proving immigration status for those who are digitally excluded or have other barriers to accessing their digital status, means that many people (71% of those surveyed) need support to access and prove their status. This increases the pressure on public services and voluntary organisations, but also increases Roma people's reliance on third parties that charge for services. These paid for services can be poor quality, and can make Roma communities vulnerable to exploitation and abuse. In our surveys we have seen that 15% of those asked to prove status were able to do so by paying a third party for support.

Though our research and frontline work we have seen that in addition to the digitalisation of the immigration system, inequalities related to digital exclusion have also increased due to the rapid digitalisation of public services such as the NHS that has taken place since the COVID-19 pandemic.

## Changes to late application rules

Following new guidance published by the Home Office in January 2024, the rules on reasonable grounds for late applications have changed.<sup>8</sup> The new rules disproportionately impact Roma people by removing key grounds for late applications, such as:

- Having no internet access
- Limited computer literacy
- Limited English language skills

As mentioned earlier, our 2023 research (to be published in summer 2024) found that while 86% of Roma have smartphones, only 20% have mobile internet, 9% have access to their own Wi-Fi and 2% use the internet for general use daily. Furthermore, Roma communities have disproportionately low levels of literacy and English language skills. Across Europe 10% of Roma are completely illiterate and between 40%-60% of adult Roma in the EU are functionally illiterate (able to read but unable to understand content of written text).<sup>9</sup>

While analysis of our frontline work shows that applications are being refused for people previously eligible under the old rules, the impact of the new rules on Roma communities needs to be formally assessed.

Significant numbers of Roma in London have Indefinite Leave to Remain (ILR), granted to them after claiming asylum in the UK before the accession of A8 countries in 2004. They were advised prior to the EUSS deadline that they do not need to apply to the EUSS but can if they wish to. However, recently ILR in some cases is not accepted as a proof of immigration status, yet switching from ILR to EUSS is not a reasonable ground for late application.

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4. Chartered Institute of Housing - [What is the Habitual Residence Test?](#)

5. Home Office - [Your immigration status: an introduction for EU, EEA and Swiss citizens](#), 2022

6. Public Law Project – [Digital Immigration Status: A monitoring framework](#), 2020

7. Yuval-Davis, N., Wemyss, G. and Cassidy, K - [Everyday Bordering, Belonging and the Reorientation of British Immigration Legislation](#), 2018

8. Home Office - [EU Settlement Scheme: EU, other EEA and Swiss citizens and their family members](#) 2024

9. Selander, M. and Walter, E., [Lack of Educational Opportunities for the Roma People in Eastern Europe](#), 2020 , and Azemovska FB., [Basic literacy of Roma - challenges of adult education](#), 2020

## Conclusions

- In 2021, the majority of Roma in London were granted pre-SS, although less than half lived in the UK for under five years. They are therefore more likely to need to update to SS and more vulnerable to the risks associated with it, including the possibility of losing their status.
- The majority of Roma in London need support to access, update or prove their EUSS digital status. Despite the grace period there was not enough time given to Roma communities to make the transition to a digital-only immigration status. Digitisation of the immigration system (and other public services) makes digitally excluded Roma communities vulnerable to exploitation and abuse, and exacerbates existing inequalities.
- In general, Roma are not able to prove their status independently, which impacts their ability to secure work, accommodation and support, and causes issues when travelling.
- People from Romanian Roma communities in London are more likely to experience issues when returning to the UK.
- The lack of support or accessible information on accessing/using EUSS digital status makes some Roma people vulnerable to exploitation.
- There is no specific approach by public services to support people, who need help proving their status when requested, leading to people being refused support.

# Recommendations

*'My opinion is that they should make a card or something tangible to always have with you, because for us, who don't have the skills needed, it would be easier.'* (N – Romanian Roma, August 2022)

	Local authorities in London	NHS services	Home Office	Charities
<b>EUSS digital status: aftercare process and proving status</b>	Provide support for Roma to access, update and prove their digital EUSS status.	Provide training to Overseas Visitors Teams on barriers to proving EUSS status faced by Roma. This should include information on Roma holding ILR status.	Provide funding and guidance to local statutory and non-statutory services to enable them to assist Roma who cannot access, update or prove EUSS digital status.	Ensure information on EUSS digital status is accessible for Roma people.  Ensure EUSS support services are available and accessible to Roma people.
		Develop guidance for Overseas Visitors Teams on how to assist EU citizens who may struggle to prove their status.		
<b>Updating to Settled Status</b>	Work with local organisations to develop and implement awareness raising campaigns on the process and need to update to settled status.		Provide further funding for accessible information and support for vulnerable EU citizens, including Roma, to update to settled status.	
<b>Late applications</b>	Provide support for Roma to make late EUSS applications.	Develop guidance for Overseas Visitors Teams on how to work with and support potential late EUSS applicants.	<b>Late applications for ILR holders:</b> Update the policy on late applications to allow EU citizens with ILR status to switch to EUSS automatically and with no “reasonable grounds for late application” requirement.	
			<b>Late applications for all EU migrants:</b> Reinstate digital exclusion and illiteracy as reasonable grounds for making late applications for all EU citizens.	
<b>Transition to digital only status</b>	Provide funding for and work with local Roma led/supporting organisations for training and learning opportunities for Roma people on accessing and using their EUSS digital status.		Provide funding for local statutory and non-statutory services to give Roma communities learning and training opportunities on accessing and using their EUSS digital status.	Work with people from Roma communities to develop resources on accessing and using the EUSS status. This will support a fair transition to the digital only status.
			Create a physical form of EUSS status.	

## Bibliography:

Chartered Institute of Housing - [What is the Habitual Residence Test?](#)

Home Office - [Apply to the EU Settlement Scheme \(settled and pre-settled status\)](#)

Home Office - [EU Settlement Scheme: EU, other EEA and Swiss citizens and their family members](#) 2024

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Yuval-Davis, N., Wemyss, G. and Cassidy, K - [Everyday Bordering, Belonging and the Reorientation of British Immigration Legislation](#), 2018

## RSG's previous EUSS work:

Reporting on [Roma communities' overall progress with EUSS](#).

Raising [specific concerns related to the EUSS digital only status](#).

[Discussing challenges and recommendations](#) with parliamentarians, public authorities and charity organisations in 2020 [and 2022](#).

[Providing local authorities with information](#) aimed at supporting their efforts to assist their Roma residents.

Raising awareness of the [impact of Brexit on Roma rough sleepers](#).