An evaluation of how digital exclusion within the EU Settlement Scheme hinders people from proving that they have the right to work in the United Kingdom.

Citizens Advice Liverpool

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Key terms

In the order that they appear

EU Free Movement Law – All EU citizens have the right to move freely within the territory of the EU.

EUSS transition period – period between the 31st of January 2020 and the 31st of December 2020 when the Free Movement Law still applied.

EUSS grace period – period between the 31st December 2020 and 30th June 2021 when Free Movement had ended but EU citizens residing in the UK before the 31st December 2020 could still apply to the EUSS.

Settled status – If the EU citizen has been living in the UK longer than five years, they will receive a settled status.

Pre-settled status – If the EU citizens has been living in the UK for less than five years, they will receive a pre-settled status.

Biometric residence permit (BRP's) – A residence permit which confirms your identity, right to study, right to any public services or benefits you are entitled to (GOV.UK).

Share code – code generated once the EUSS application has been completed and accepted; this can be used to prove your right to work to employers.

Direct discrimination – Individuals with certain characteristics are targeted and treated differently.

Indirect discrimination – Policy is the same for everybody, however because of this certain people are put at a disadvantage.

Hostile Environment Policy- Home Office immigration policy which deliberately makes it as hard as possible for migrants living in the UK to remain in the UK.

ACKNOWLEDGEMENTS

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Finally thank you to those who gave up their time to be interviewed, your insight into right to work checks and the EUSS has been invaluable.

EXECUTIVE SUMMARY

Project Background

The EU Settlement Scheme was established for EU citizens who required residence status under EU free movement law to be able to be granted an immigration status enabling them to remain in the UK post Brexit. The process of this application is predominantly digital and means that the EU citizen will be granted a new digital-only immigration status. Whilst for the majority of people this may be a straightforward process, people that do not have the technology or the digital knowledge to carry out this application are being excluded. Considering that someone's EUSS status is the basis for right to work checks, this can have critical knock-on effects for people applying for a job.

Key Research Questions

The project aimed to explore how digital exclusion within the EUSS hinders people from proving that they have the right to work in the UK. Whilst answering this question, the three

main areas I wanted to look at were digital barriers within the EUSS application, employers' experiences of the right to work checks and finally what could be done to improve the situation to make sure people can prove their right to work.

Methodology

To address the first question on whether people are experiencing digital barriers when applying for the EU Settlement Scheme I analysed date from client records recorded by one of the advisors at Citizens Advice Liverpool on their clients that were seen for help with their EUSS application. To address the second research question on employers and HR experiences of the right to work checks process when employing EU citizens, I decided to carry out semi-structured interviews. To address the final question on how the situation could be improved I educated myself by listening to previous recordings of information sessions that had been run by Citizens Advice Liverpool aimed at employers and I drew on questions and queries raised during these sessions.

Key Findings

Qualitative data

- People had a variety of different complications with the EUSS application including more general problems, such as awareness of the scheme and also, specific digital problems.
- Most people required assistance at some point with their application, either to complete their application or look after it.
- Employers found it harder to employ EU citizens post-Brexit.

Quantitative data

- Having a vulnerable family member, being part of the Roma community and being elderly were the three most common vulnerabilities of people struggling with their EUSS application.

- 38.46% of people struggling with their EUSS application had digital problems with the application, whilst 11.24% had language problems.
- 85.71% of people that got told their photo was too dark in the application were of African heritage, whilst 3.57% of people were white.

Conclusions and Recommendations

From this research project, it was possible to make the following recommendations:

- **Offering EUSS paper applications** for a wider range of people.
- **Functionality of the technology** for the EUSS needs to be improved.
- **Increase the number of centres** available to assist people with their application and future applications.
- **Raise awareness** of the scheme.
- **Educate** employers and people working in HR on the complicated nature of the EUSS to avoid discrimination at the recruitment stage.

CHAPTER 1: INTRODUCTION

Interchange

Interchange is a registered charity (charity number: 1038129) that works in partnership with the University of Liverpool. It aims to connect Voluntary Community Organisations (VCO's) in Merseyside with students studying social sciences to provide a social research opportunity for the student whilst at the same time accomplishing research needs for the VCO.

The client organisation: Citizens Advice Liverpool

Citizens Advice Liverpool is an independent charity that provides free and confidential advice and information for residents in Liverpool to help them address their welfare and legal issues and find a way forward. It was established in 1939 and since then has been run by a workforce of trained volunteers and paid staff. They advise on a wide range of subjects including benefits, work, money issues, consumer, family, housing, law and courts, immigration, and health. They have the power to show big organisations from companies to a government level what are important issues that need to be addressed. Clients can reach out to Citizens Advice Liverpool in several different ways, making it widely available for all.

CHAPTER 2: POLICY CONTEXT

The EU Settlement Scheme

EUSS timeline
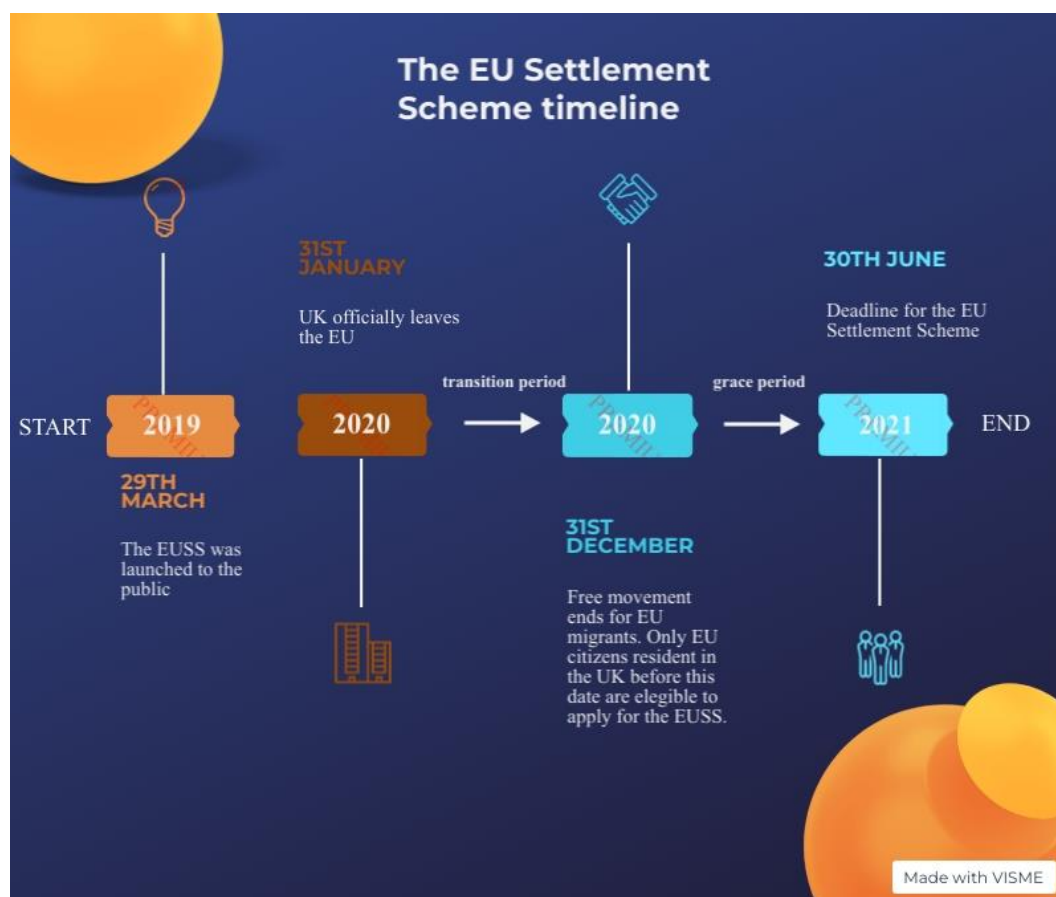
The EU Settlement Scheme (EUSS) has been designed by the Home Office to provide EU nationals and their family members who resided in the UK before the 31st December 2020 an immigration status to protect their rights after Brexit. EU citizens living in the UK had from the 29th of March, when the EUSS was launched to the public, through to the end of the grace period on the 30th June 2021 to apply to the EU Settlement Scheme (GOV.UK., 2020). Applications are still being accepted if you were residing in the UK by the 31st December 2020 and have a valid reason for not applying before. This scheme marks the beginning of the Home Office's plan to move all immigration statuses online.

The application is carried out by using an app called the 'EU exit: ID document check' which is downloaded onto a smartphone. This app generates a series of questions which includes taking pictures of applicants' documents and their faces and scanning the documents into the system. They will then receive either a settled status if the citizen has been living in the UK for longer than 5 years or a pre-settled status if it has been less than 5 years. The alternative option of applying to the EUSS is either sending their identity document (passport or national identity card) in the post and uploading a photo of themselves online. Or if the applicant has a biometric passport, ID card or a UK issued Biometric Residence Permit but does not have access to a smartphone they can visit an organisation that will help them scan their documents and upload them to the application. Whichever way the applicant undergoes the process they will receive a digital status rather than a physical document or stamp in their passport.

Although for the majority of people there might be advantages to going digital, the digital nature of these immigration statuses places a huge barrier on several people. This includes people who do not have access to technology devices needed to carry out this application and also people who are not digitally literate. As of October 2021, the backlog for this scheme was 400,000 applications (O'Carroll, 2021). For these people and others who have not received their status, this has critical implications. They run the risk of becoming undocumented, which can lead to losing access to health care, benefits, renting a property and their right to work. The EUSS is the basis on which employers conduct their right to work checks and this is what I will be focusing on in this report. Although these people have the right to work in the UK, they are not able to prove it.

Right to Work checks

It is compulsory for all UK employers to prevent illegal working in the UK. This is done by carrying out right to work checks on all employees when they start their employment. Since the 30[th of] June, the process for checking the right to work has moved online and therefore, an EU passport or national identity card alone can no longer prove someone's right to work in the UK. Right to work checks requires the employer to enter the applicant's share code, which is generated once the EUSS application has been completed and accepted, into the government's right to work browser. Following this the employer enters their date of birth, where they should see a confirmation of their name and right to work and a picture of the person. However, if an applicant does not receive a share code from the EUSS application,

which might be due to several reasons (mentioned later in the report) this can cause complications and tensions during the recruitment process. This is because the employer might see that the applicant does not have proof of status at the time of applying for the job and therefore reject the person, even though they have a right to work in the UK (Work Rights Centre, 2021). An employer checking service is made available for the employer, where they can type in the employee's date of birth, nationality and Home Office reference number which can show a certificate of application even if they have not received their proof of status yet (Work Rights Centre, 2021).

Immigration Law in the UK timeline
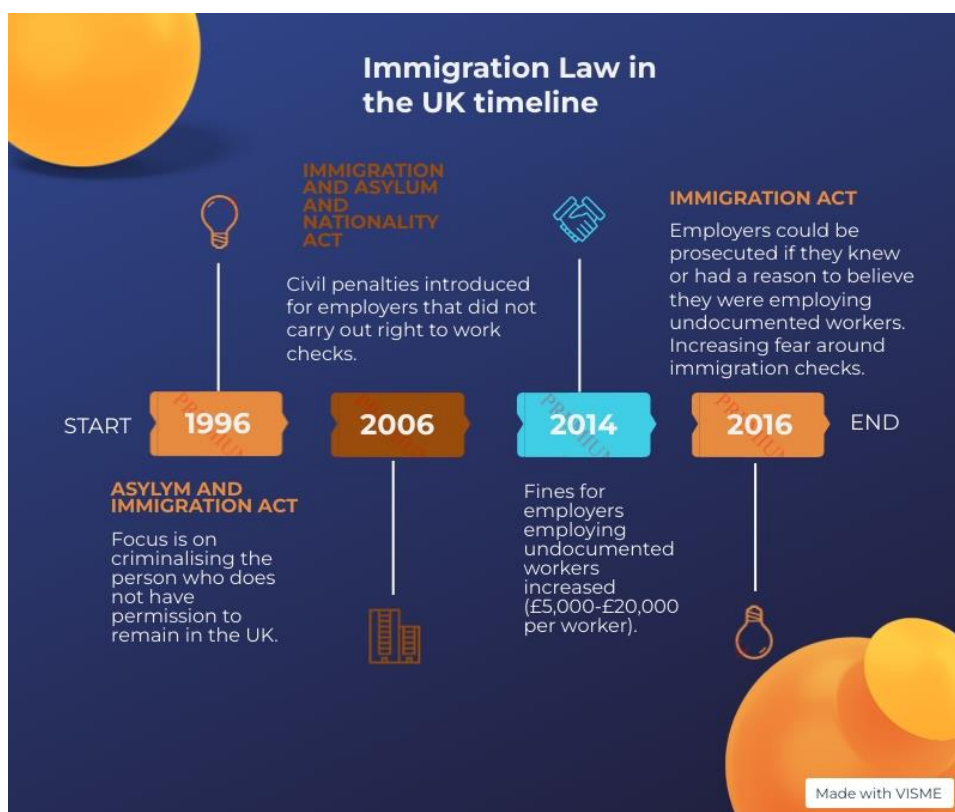
Due to the history of Immigration Laws, it is likely employers will be extremely cautious about carrying out these checks as the consequences can be substantial for the employer. Not carrying out a right to work check properly on someone who does not have the right to work could result in the employer being fined up to £20,000 per illegal worker. However, it is also essential that employers legally abide by the Equality Act of 2010 which protects employees from discrimination in the workplace (Citizens Advice, 2010).

Equality Act 2010

The Equality Act of 2010 protects people from discrimination in the workspace and in society in general. Importantly with regards to this report, this includes recruitment. The Act protects against characteristics such as age, disability, gender reassignment, religion, sex, sexual orientation, pregnancy, marriage and civil partnership and crucially in this case race. If someone discriminates against someone of a particular nationality, this can be either direct or indirect discrimination. Direct discrimination is when someone is treated less favourably because of a certain characteristics (ACAS, 2020). Whereas indirect discrimination is when a group of rules are applied to a certain group, however, by doing this, they are putting certain people at a disadvantage (ACAS, 2020). If this Equality Act is breached by an employer, an employer be fined between £900 and £42,900 (Beattie, 2019). This is a serious criminal offence. Therefore, as an employer, they have a duty to strike a balance between abiding by the Immigration Law and also the Equality Act when employing a new employee.

Summary of key issues emerged from policy analysis:

EUSS
- Digital nature of the application and status excluding certain people in society.
- This has a knock-on effect for right to work checks.

RIGHT TO WORK

- People who struggled with the digital nature of the EUSS application and consequently did not receive their status at the time of recruitment may be rejected from the job because even though they have the right to work, they are not able to prove it.

IMMIGRATION LAW AND EQUALITY ACT 2010

- Due to the consequences of breaking the Immigration Law, it is likely employers will be extremely cautious and not want to run the risk of employing someone that is not able to prove their right to work. However, it is essential employers must strike a balance by abiding by the immigration law and also the Equality Act 2010 in order to not discriminate in the workplace.

CHAPTER 3: METHODOLOGY

Aims and Objectives

This report is a descriptive analysis of how digital exclusion within the EUSS hinders people from proving that they have the right to work in the UK

Whilst researching this, three main questions cropped up. These are what I will be basing my research around:

1. Are people experiencing digital barriers when applying for the EU Settlement Scheme?
2. What are employers and people working in HR's experiences of the right to work checks when employing EU citizens?
3. What could be done to improve the situation and help make sure people are able to prove their right to work?

Data analysis

Q1: Quantitative data

To address the first question on whether people are experiencing digital barriers when applying for the EU Settlement Scheme I analysed client records from Citizens Advice Liverpool on one of the adviser's clients who were seen for help with their EUSS application. My supervisor provided me with this internally recorded data. This data file was categorial and included information about what their issue with the application was, the client's vulnerabilities and their ethnicity. A quantitative approach was taken to analyse this data. I found that the data I focused on to draw statistics and percentages was firstly vulnerability and what their vulnerabilities were and consequently the implications of this. I also looked at both digital barriers and

language barriers and what people were struggling with and finally I looked more specifically at one of the digital problems which seemed to be cropping up frequently, people being told that their photo was 'too dark' for the technology. Due to this, I was able to 'gather empirical evidence' (Woo, 2018) on the client's experiences with the EUSS application which enabled me to come up with some ideas about what could be done in the future to prevent these problems from arising again, which are shown later in the report.

Q2: Qualitative data

Before the interview

To address the second research question on employers and HR experiences of the right to work checks process when employing EU citizens, I decided that semi-structured interviews would be the most appropriate for my research. I researched online different people working in HR departments. I looked at different types of workforces so my research would not be limited. This ranged from corporate institutions to local charities. I sent an email out with an outline of what the interview would entail and the reasons for my research. The interview was based on a fixed set of questions **(Appendix C)** to keep the interview focused; however, this would not be strictly followed to allow for open-ended responses from participants (Holloway and Wheeler, 2013). I did not prepare the probes and follow up questions in advance, so I was able to be flexible and adjust to the participant's responses (Roulston, 2018: 2). This enabled me to gather 'rich in-depth information' (Woo, 2018) that was 'grounded in the real-life experiences of people with first-hand knowledge' (Woo, 2018). I researched the right to work checks process in great detail beforehand.

During the interview

I conducted three interviews in total, all of which took place over zoom. I was able to record the interviews on zoom so I could focus on listening, carrying out the interview and transcribing afterwards. I made sure that my focus was on listening to what the interviewee had to say so my preconceived biases did not hinder the interview process

(Roulston, 2018: 9). All the interviews lasted between 20 and 45 minutes. I decided to keep the timings as flexible as possible to not put pressure on the interviewee and to naturally terminate the interview when the conversation came to an end. I started all the interviews with a general chat, to build rapport and break the ice before the interview commenced.

After the interview

After the interviews, I transcribed them immediately, so the information was still fresh in my mind (Hays and Singh, 2011: 260). I was able to create reflexive and contextual notes about the experience.

Q3: Information sessions

To address the final question on how the situation could be improved I educated myself by listening to previous recordings of information sessions run by Citizens Advice Liverpool aimed at employers. I drew on questions and queries raised during these sessions. I also had a lot of in-depth conversations with staff at Citizens Advice Liverpool and other organisations, which worked alongside Citizens Advice to provide information sessions for people, including The Works Right Centre and Migrants at Work. This enabled me to come up with some ideas and recommendations for what could be done to improve the current situation.

Ethics

I made sure I adhered to ethical guidelines throughout my research. The first step in my research was to get permission from the ethics committee board enabling me to conduct interviews with participants. Because these qualitative interviews involved human interaction, there were ethical risks (Silverman, 2013). To minimise these risks, I firstly provided a participant information sheet **(Appendix A)**, which contained information about the project, including the purpose of the research, why the participant had been invited, the process of the interview and finally information about confidentiality and anonymity. Along with this, I provided a consent form **(Appendix B).** This follows the ethical principle that each participant deserves

complete transparency and the right to withdraw from the study at any point during the data collection process (Morgan, 1998). All the participants in my study were adults and therefore everyone was able to give consent themselves. I also decided not to interview anyone vulnerable as this could have ethical implications.

All the data from the interviews were stored on my password-protected laptop and it was only seen by me. I also used pseudonyms, Holly, David and Claire to anonymise the data gathered, ensuring no information that could be traced back to the participant was put in my report. Confidentiality is crucial in research to not only protect the people participating in the research from harm but also to build a trusting relationship between researcher and participant (Kaiser, 2010).

Chapter 4: Findings and Discussions

Findings for client report

Qualitative data from interviews

Coding matrix

Theme	Relevant Question or Point	Quotes
Complications	Did any of your employees have any complications applying to the EUSS?	**Digital** Holly: 'Problems accessing the share code, majority needed help' Holly: 'Scanning issues because of the colour of their skin' David: 'Scanning the passport to the app is tricky' Holly: 'Facial recognition software is not good for darker skin' Claire: 'The software froze' **General** David: 'People did not know that they needed to apply for it' David: 'Adults did not know their kids needed to apply separately' Holly: 'People do not think the application applied to them' Claire: 'People that lived in the UK for a long time assumed they did not need to apply'
Assistance	Relying on others to look after/ complete their application for them.	Holly: 'They needed a lot of assistance' Holly: 'The people applying were struggling' Claire: 'Most people were not able to do it by themselves'

		David: 'Although there were sessions on offer, they still needed help.' Holly: 'Needed help face to face' Claire: 'Senior management guided the employee'
Employment	Are employers less likely to hire EU citizens post Brexit?	Holly: 'They might not want to take the risk' David: 'Could see it as a hassle' Holly: 'There is less security' David: 'Companies are having to pay for visas if people are not able to get status, companies don't want to do this' Claire: 'Definitely harder to employ EU citizens'

By creating a coding matrix, I was able to analyse thematically. I identified and highlighted the words and phrases that stood out to me in the interview transcripts and then saw if these crossed over with my other interviews. I decided not to create pre-determined categories before the interviews but rather as I was analysing them, so I could make the most out of the data. Whilst creating a coding matrix, I drew out three principal themes that cropped up in all the interviews that I carried out. Pseudonyms, Holly, Claire and David were used for my three interviewees.

1. Complications with the application

Digital

All three of my interviewees stated that no one in their companies had been rejected from a job because of their EUSS application. They also all alluded that for them specifically, a digital process works better for them. However, they did mention a lot of complications that their employees had with the application. One of my interviewees, Holly, who worked at a charity, highlighted that the two main digital issues her employees struggled with were problems with facial recognition and accessing the share code. As a result of these complications, people in HR in Holly's department had to go over this application with the employee face to face. Holly found that digital complications for new employees were quite

common at their charity. Whereas David who was working at a tech company found that most employees and new employees were digitally literate and so had less of a problem with the application, although the odd person struggled to access their share code. Claire worked for a science tool company and found that all new employees were digitally literate however, they often struggled with the EUSS software application itself, stating that it sometimes froze and then they would have to start the application again. These findings are consistent with academic research, which found that the system used to apply to the EUSS itself did not run smoothly, often incurring 'technical glitches' (Oral evidence: EU Settlement Scheme, HC 1945, 2019: 9) and system shutdowns (Oral evidence: EU Settlement Scheme, HC 1945, 2019: 9). As a result, the Home Office helplines were continuously being rung (Home Affairs Committee, 2019: 31).

General

Although Claire and Holly focused on the digital complications that their employees had with the application, David focused on other barriers to the application. For example, he mentioned that for him the biggest issue was that several people did not know they needed to apply for the application. This was particularly the case for people who had lived in the UK for a long time. The House of Commons research into the EU Settlement Scheme further supports this finding suggesting that people are not aware of the scheme, they do not think it applies to them and do not realise it is compulsory to apply (Home Affairs Committee, 2019: 25). Mortimer, the Chief Executive of NHS Employers added in the Home Affairs Committee that at The British Medical Association they surveyed EU members and found that, more than a third of their participants were oblivious to the EU settlement scheme (Oral evidence: EU Settlement Scheme, HC 1945, 2019: 23). This further indicates the lack of awareness of the scheme.

2. Assistance

As a result of the complications with the application, all three of my interviewees mentioned that most of their new employees needed assistance of some form during the EUSS application process. This included people informing others to apply for the application and also needing help completing the application. People had to rely on friends and family to help. Although there were organisations offering support during this time and offering

information sessions to help people, coronavirus added complications to this, as people were not able to walk into centres. Similar findings were reported by the Trust for London, who found that 58% of people depended on somebody else when carrying out this application (Mellana, 2020: 11). In Mellana's research, she describes the digital status as undermining the autonomy of an individual (Mellana, 2020: 3). This dependency on others can have further complications, for example, if people are not in control of their application when coming to a job interview this could create difficulties for both the employer and the employee. Their research concluded that this dependency will only continue in the future and with future digital applications if the complications are not resolved (Mellana, 2020: 17).

3. Employment

All three of my interviews mentioned that it was much harder to employ EU citizens now than before Brexit. Holly highlighted that this is likely due to the different barriers in the way of the recruitment process which are both complicated and time-consuming. Academic literature supports these findings, suggesting that the process now 'increases the workload on employers' (Home Affairs Committee, 2019: 22). This source explains that this could result in employers not employing someone due to the complicated nature of this process (Home Affairs Committee, 2019: 22). Instead, employers may be more likely to hire someone where there is a more straightforward process. This can be seen as a form of discrimination because it would suggest that EU citizens are being denied their right to work.

Limitations

Due to the time-consuming nature of semi-structured interviews and the transcribing, I was limited to carrying out three interviews. I am aware of the large scale of employers in the UK recruiting at the same time as the EUSS application was being carried out. Therefore, my interviews with three people working in HR are just a snapshot of what was occurring and cannot be viewed as the entire picture. However, it provides an insight into what was happening and suggests that several people found this process a time-consuming and frustrating experience.

Quantitative data from secondary data

I analysed the spreadsheet of client data recorded by one of the advisors at Citizens Advice Liverpool of their clients who were seen for help with their EUSS application between June 2019 and September 2020. For this spreadsheet, in total 169 people were struggling with their EUSS application. From this data, I found three key findings:

1. Vulnerabilities

Any EU citizen resident in the UK before the end of the transition period who failed to make an application to the EUSS is vulnerable to the Hostile Environment policy designed to curtail people who do not have a legally valid immigration status. Although there were a broad range of different vulnerabilities mentioned in this spreadsheet, this bar chart shows the most common vulnerabilities. The four most common were, the elderly, members of the Roma community, having a vulnerable family member and people who had a combination of vulnerabilities.
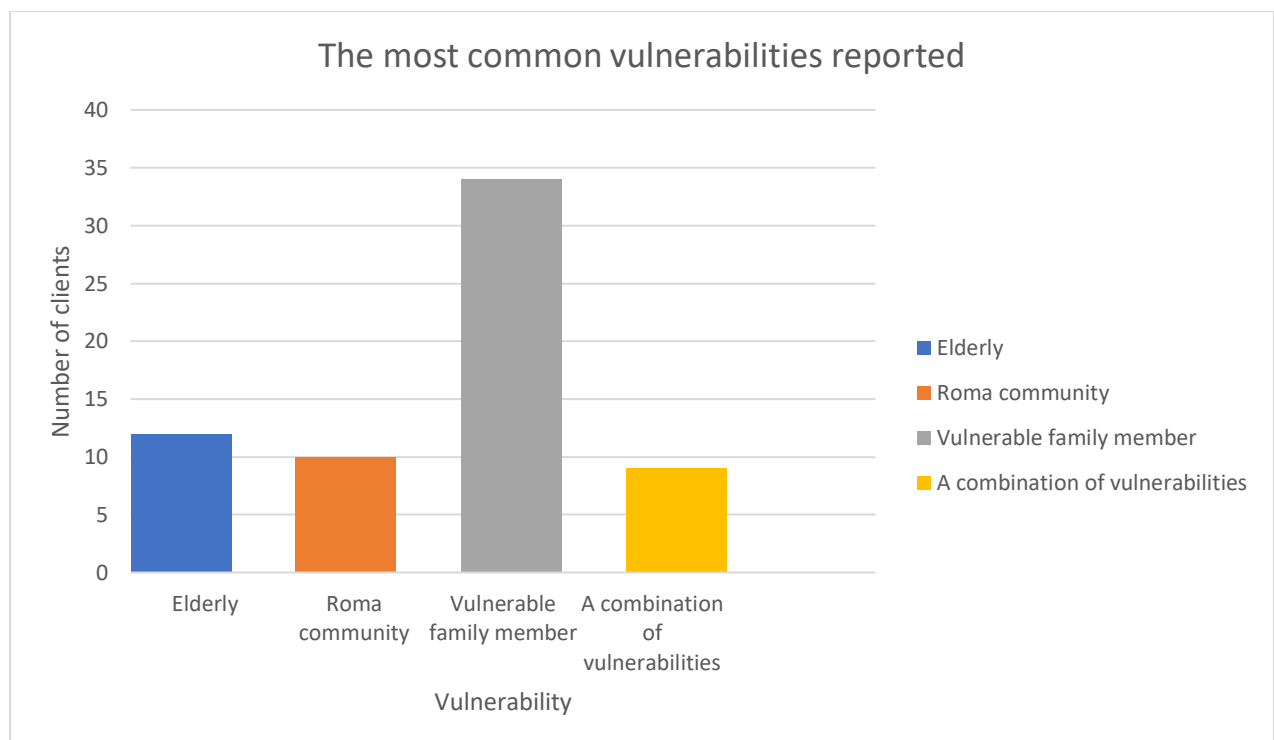
From this spreadsheet, I found that 34 people needing help with their application had a vulnerable family member, this accounts for 20.12% of the total amount of people seen for help. This is followed by 12 elderly people, making up 7.1% of the total, 10 people from the Roma community, making up 5.92% and 9 people with a combination of vulnerabilities, making up 5.33% of the total. As mentioned earlier, many people became reliant on others to help with their applications, however, this is not easy for vulnerable people, especially if they do not have a support network. This could be a reason why many of them seek help from organisations such as Citizens Advice. As this was during covid, many organisations did not have the option to walk into centres, this would have affected many vulnerable people. As a result of this, their proof of status may be delayed. This can have negative implications for people and may put them at a disadvantage, especially when applying for a job.

2. Digital and Language issues with the EUSS application

As shown in the bar chart below, both language issues and digital issues were prevalent in the EUSS application, but more people were having digital problems.
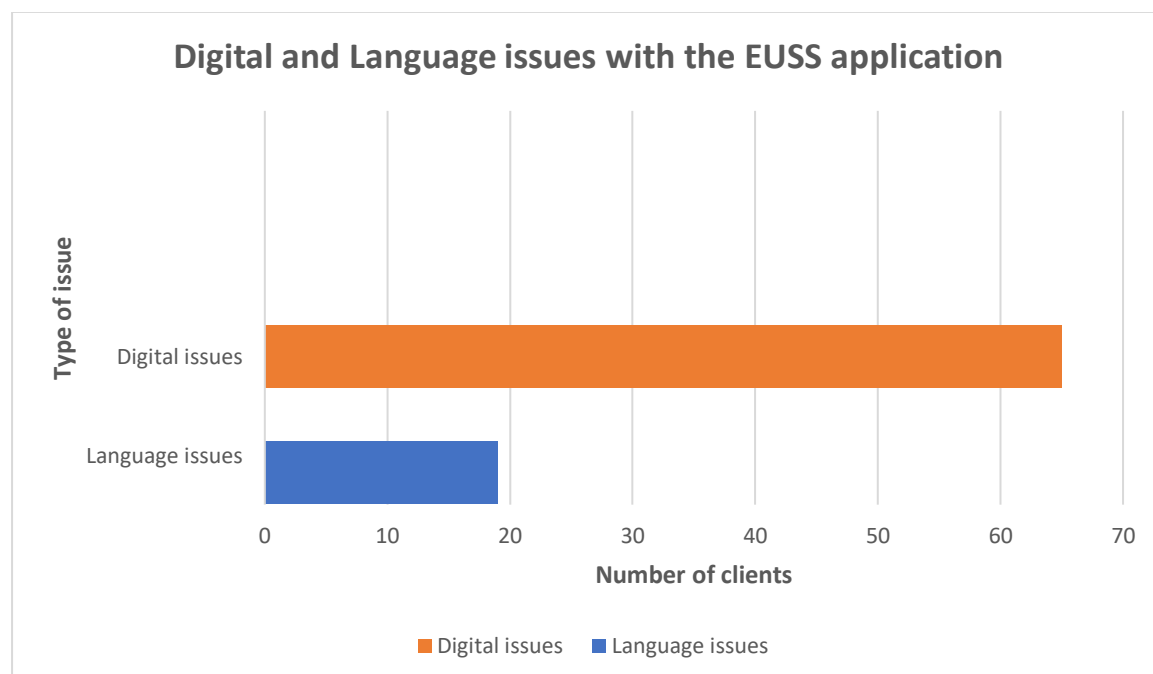
Language issues were much less common than digital issues within this excel dataset. 19 people out of a total of 169 had language problems, counting for 11.24% of the overall clients whereas, 65 people had digital issues, counting for 38.46% of the total 169 clients. This
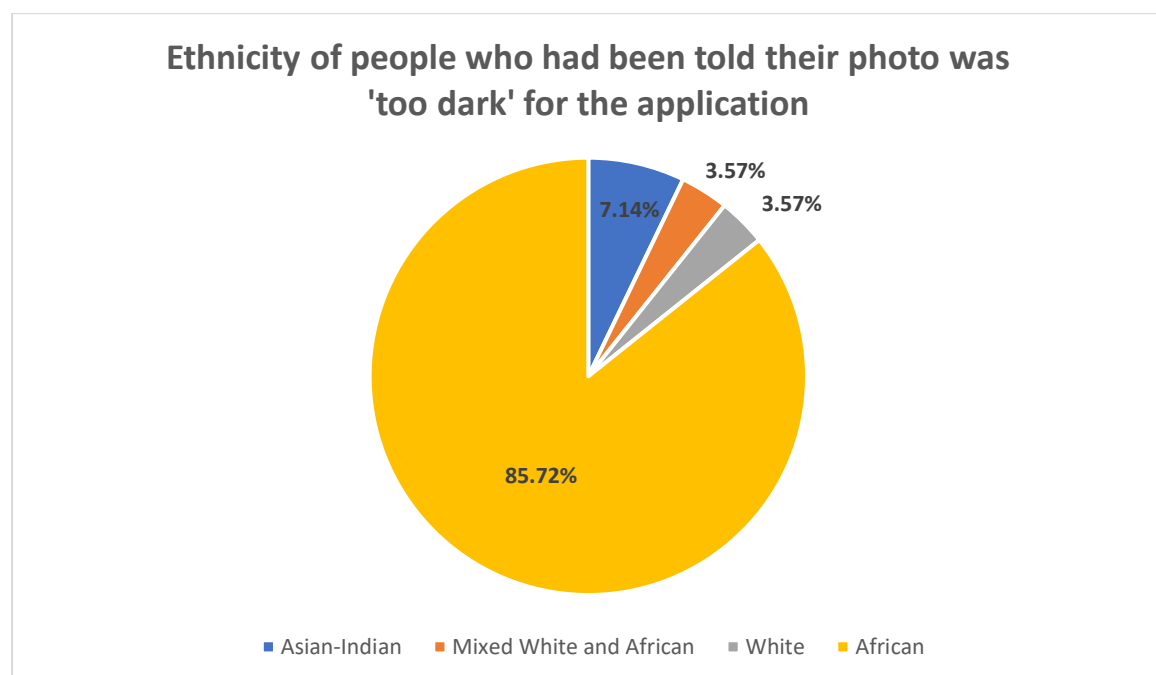
suggests that people were more likely to encounter digital complications in the EUSS application than language problems. One of the most common digital issues recorded were problems with the chip scan which 30.77% of people who had digital problems struggled with. Another common digital issue was problems with the facial recognition software, which reported that some people's photos were allegedly too dark, which 43.08% of clients experienced.

Multiple digital issues

It is also important to note that not only did people have single digital issues, but they also often had multiple, and therefore it took several attempts to secure their status. 26.15% of people that had digital issues had multiple issues, suggesting that there were various digital issues people encountered with the application.

3. Facial recognition software

As shown in the pie chart below several people from different ethnicities struggled with the application as the app was telling them that their photo was 'too dark.' From this chart, it is evident that the majority of people that were having trouble with this were people from Africa.

Ethnicity of people who had been told their photo was 'too dark' for the application

7.14%

3.57%

3.57%

85.72%

■ Asian-Indian   ■ Mixed White and African   ■ White   ■ African

Looking specifically at the people who had been told by the facial recognition software that their photo was too dark. 45 Africans in this data set needed assistance with their EUSS application, 24 of these, just over half, (53.3%), were told their photo was too dark. Furthermore, as shown in the pie chart above, 85.72% of people that got told that their photo was too dark in this spreadsheet were African, this is compared to just 3.57% of people being told their photo was too dark, being white. This indicates that the technology might function better for people with lighter skin tones. In 2020 BBC found similar results with a passport application, where the check was not as accurate on people with darker skin. Owusu, a black student, uploaded five different photos to the government website and each time she was told that her mouth was open when it was closed. She states that 'it should be the norm for these systems to work well for everyone' (Ahmed, 2020). This suggests a significant problem with automated systems especially if systemic racism is built into them (Ahmed, 2020).

Chapter 5: Conclusions and recommendations

Conclusions

From my qualitative and quantitative data analysis I have been able to see the wide range of complications people suffered with and are still suffering with whilst applying for their EUSS application. The first complication was the lack of awareness around the scheme, where people did not know they were required to apply. With regards to the scheme itself, one of the main problems was digital barriers. This included the system itself, which seemed to have several faults. Other problems included issues with the chip scan and the facial recognition software. The facial recognition software seemed to negatively affect people of an African heritage a lot more than white people. As well as these barriers, this system does not consider people who do not have access to technology or have the digital knowledge to be able to carry out this application. Due to complications such as these many people needed assistance throughout the process with some becoming dependent on others to complete their application and look after it. This not only diminishes the autonomy of an individual but also creates problems for the future, for example when the person is applying for a job and is required to show their share code. The research has suggested that people with vulnerabilities are the most likely to suffer and as a result are often left behind. These barriers and complications will likely have critical implications on people, marginalising the individual and impacting their health and wellbeing, when these are the people that require the most protection in society (APCNews, 2019). These people also run the risk of becoming undocumented, which can lead to losing access to health care, benefits, renting a property and their right to work. Through the combination of carrying out research and relevant academic literature, it is evident that the complications of the EUSS for EU citizens can have a knock-on effect in the recruitment process, which could potentially lead to discriminating against an EU citizen when recruiting.

Recommendations

Although there are several different recommendations that should be put in place to improve the system. I have focused on ones which I believe are particularly important and relevant to the findings in this report.

Extending paper applications

Making a paper application available for a wider range of people and therefore being more inclusive for those who are struggling with the digital system. This will ensure that people have an equal opportunity to apply to the EUSS and gain their status.

Improve the technology system

The functionality of technology in particularly with the app must be improved as it is evident people are struggling with this. Considering the vast scale of the EUSS scheme, there must be a system in place which functions to a high standard. Therefore, a greater effort should be seen in preventing the software from 'glitching' or 'shutting down.' Especially if the Home Office wants future applications to replicate this, then it is important that the system can cope. If the system is going to be digital, then it is essential that this technology functions for everyone and does not exclude people due to the colour of their skin. This can be seen as a form of systemic racism.

Increase number of centres

For the majority of people who are applying to the EUSS this may be a straightforward process because they are fortunate enough to have access to digital technology required to complete the application and they are also digitally literature and therefore confident in using the technology. However, evidently from this research there are people where this is not the case and instead, they face several challenges when undertaking the EUSS application. It is these people that are being left behind and not considered in this process. Therefore, it would be beneficial to increase the numbers of centres which provide assistance and scan documents for these people. It is essential to understand that not everyone has the same access to

technology and alternatives must be provided for them. This is particularly the case with vulnerable people.

Raise awareness

As the findings in this report have shown, many people were not aware the scheme existed, or that they needed to apply. Gaining your status is the basis for earning benefits, renting a property and their right to work. It is therefore essential that there is awareness of this scheme. Raising awareness could be in the form of leafletting on the streets including advising homeless people, many who would not have been informed about the application. A concerted effort must be made to reach out to as many people as possible. Furthermore, more funding should be provided to organisations to carry out information sessions with clear guided instructions on how to complete the application. There should be an aim at helping and supporting the vulnerable and particularly targeting the elderly, people from the Roma community, people with vulnerable family members and people with a combination of vulnerabilities as research in this report has shown, they are particularly struggling with the application.

Educate

It is also important that information and advice is given to employers and people working in HR on the complex nature of the laws. Government funding should be provided to organise information sessions for employers of all sectors. If new employees cannot prove their status at the time of recruitment it does not mean that they don't have status and there are alternatives. EU citizens should not be discriminated against just because they are not able to prove their status.

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Appendices

Appendix A

Participant Information Sheet

To research how digital exclusion within the EU settlement scheme hinders people from proving that they have the right to work in the UK

Version 2; 24/01/2022

You are being invited to participate in a research study. Before you decide whether to participate, it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully and feel free to ask us if you would like more information or if there is anything that you do not understand. Please also feel free to discuss this with your friends, relatives and GP if you wish. We would like to stress that you do not have to accept this invitation and should only agree to take part if you want to.

Thank you for reading this.

1. What is the purpose of the study?

The project has evolved as a direct result of the EU Settlement scheme, which became necessary because of Brexit. EU citizens living in the UK had from the 31st of December 2020 through to the end of the transition period on the 30th June 2021 to apply for the scheme. This scheme marks the beginning of the Home Office's plan to move all immigration statuses online so that the recipient will have a digital status rather than a physical document or stamp in passport. Whilst there are some advantages to having a digital status, there are a number of disadvantages too. The digital nature of these immigration statuses places a huge barrier to those who are not digitally literate or who do not have access to IT devices

The purpose of this project is to understand how EU citizens are hindered from proving that they have the right to work in the UK.

The main aims of this project include:

- Are people experiencing digital barriers when applying for the EU Settlement Scheme?
- To find out what employer's rights to work checks are for employing EU citizens
- To discuss what could be done to improve the situation and help make sure that people are able to prove their right to work

2. Why have I been chosen to take part?

Employers, HR managers and recruiters are obliged to carry out right to work checks on all new employees. Although, people have the right to work, they are struggling to prove it due both the significant backlog and also people who are not digitally illiterate struggling with the application.

As a result, I am very interested in finding out the process employers, HR managers and recruiters go through to carry out their right to work checks and to see to what extent they are experiencing problems with people not being able to prove their right to work.

I aim to interview 3-6 people in total.

3. Do I have to take part?

No, the participation is voluntary, and you are free to withdraw your participation at any time, without explanation, and without incurring a disadvantage.

4. What will happen if I take part?

The interview will consist of a semi-structured interview lasting 20-45 minutes. I will carry out this procedure on my own. I will create a fixed set of questions before so I can remain focused, but this will also allow for open-ended responses from participants for more in-depth information. I will do my interviews online over zoom and I aim to record the interviews on my laptop which is password protected and will only be seen by me. This will be deleted immediately after the research project has finished, May 2022. I will be recording so I am able to transcribe after.

The responsibilities of the participants are to answer the questions as truthfully and accurately

as possible and to let the researcher know if they do not understand something about the study,

their rights and responsibilities or they need more information.

5. How will my data be used?

The University processes personal data as part of its research and teaching activities in accordance with the lawful basis of 'public task', and in accordance with the University's purpose of "advancing education, learning and research for the public benefit.

Under UK data protection legislation, the University acts as the Data Controller for personal data collected as part of the University's research. The Principal Investigator, Eliza Denton and her Supervisor, David Whyte act as the Data Processor for this study, and any queries relating to the handling of your personal data can be sent to Eliza Denton (hsedent2@liverpool.ac.uk)/ Louise Hardwick (louiseha@liverpool.ac.uk).

Further information on how your data will be used can be found in the table below:

How will my data be collected?	Data will be collected online by Eliza Denton, recorded and later transcribed.
How will my data be stored?	Data will be stored as electronic data on the password protected M-drive of the University of Liverpool's central server.
How long will my data be stored for?	Data will be stored for the duration of the project, until May 2022.
What measures are in place to protect the security and confidentiality of my data?	No personal identifying data will be record on interview transcripts. A pseudonym will be applied to the participant.
Will my data be anonymised?	Yes, a pseudonym will be given to the participant and all personal information will be removed.
How will my data be used?	Data will be presented in the findings section of a Client Report.
Who will have access to my data?	Eliza Denton, the student researcher and Louise Hardwick, her academic supervisor.
Will my data be archived for use in other research projects in the future?	No, it will not be used in future projects.
How will my data be destroyed?	I will destroy the data once the project has terminated in May 2022.

6. Expenses and / or payments

This study does not require any expenses and therefore no reimbursement will be offered for participation.

7. Are there any risks in taking part?

Participating in the research is not anticipated to cause you any disadvantages or discomfort. The potential physical and/or psychological harm or distress will be the same as any experienced in everyday life

8. Are there any benefits in taking part?

Whilst there are no immediate benefits for those people participating in the project, it is
hoped that this work will have a beneficial impact on helping EU citizens prove that they have the right to work.

9. What will happen to the results of the study?

Results of the research will be included in a Client Report consisting of 6,000 words in the findings section. This report will be assessed by the University of Liverpool and will also be made available for Citizens Advice Liverpool. The report could be published with permission from Louise Hardwick and Eliza Denton. The participant will not be identified in the report and all their information will remain confidential.

10. What will happen if I want to stop taking part?

You can withdraw your participation in the study at any time, without explanation.

You may request that the results are destroyed, and no further use will be made of them.

If you would like to withdraw your information, you should contact me personally, deciding on whether you want to provide the reason(s), but it is not required to provide the reason.

11. What if I am unhappy or if there is a problem?

If you are unhappy, or if there is a problem, please feel free to let us know by contacting **Eliza Denton, hsedent2@liverpool.ac.uk** and we will try to help. If you remain unhappy or have a

complaint which you feel you cannot come to us with then you should contact the Research Ethics and Integrity Office at ethics@liv.ac.uk. When contacting the Research Ethics and Integrity Office, please provide details of the name or description of the study (so that it can be identified), the researcher(s) involved, and the details of the complaint you wish to make.

The University strives to maintain the highest standards of rigour in the processing of your data. However, if you have any concerns about the way in which the University processes your personal data, it is important that you are aware of your right to lodge a complaint with the Information Commissioner's Office by calling 0303 123 1113.""

12. Who can I contact if I have further questions?

If you have any further questions, please contact the principal investigator on hsedent2@liverpool.ac.uk.

Appendix B

Participant consent form

Version number & date: 2; 24/01/2022

Research ethics approval number: 10711

Title of the Research Project: To research how digital exclusion within the EU settlement scheme hinders people from proving that they have the right to work in the UK.

Researcher: Eliza Denton

Please initial box

1. I confirm that I have read and have understood the information sheet dated [**22/11/2021**] for the above study, or it has been read to me. I have had the opportunity to consider the information, ask questions and have had these answered satisfactorily.

2. I understand that the interview will be semi-structured, lasting between 20-45 minutes and it will be recorded.

3. I understand that a transcript of my interview will be retained for the duration of the research project and that quotations from the transcript may be included in the final Client Report.

4. I understand that my participation is voluntary and that I am free to stop taking part and can withdraw from the study at any time without giving any reason and without my rights being affected. In addition, I understand that I am free to decline to answer any particular question or questions.

5. I understand that I can ask for access to the information I provide and I can request the destruction of that information if I wish at any time prior to anonymization, 1 month after research has been carried out. I understand that following publication I will no longer be able to request access to or withdrawal of the information I provide.

6. I understand that the information I provide will be held securely and in line with data protection requirements at the University of Liverpool.

7. I understand that my responses will be kept strictly confidential. I give permission for Eliza Denton and Louise Hardwick to have access to my fully anonymised responses. I understand

that my name will not be linked with the research materials, and I will not be identified or identifiable in the report or reports that result from the research.

8. I understand that confidentiality and anonymity will be maintained, and it will not be possible to identify me in any publications.

9. I understand and agree that the data collected will be included in a research report, which will be assessed by the University of Liverpool and shared with Citizens Advice Liverpool.

10. I understand that signed consent forms and the original recording will be retained in The University of Liverpool Mdrive and only Eliza Denton and her supervisor Louise Hardwick will have access to this data. This data will be destroyed after research, May 2022.

11. I agree to take part in the above study.

_____   _____   _____
Participant name   Date   Signature

_____   _____   _____
Researcher   Date   Signature

Student Researcher

Eliza Denton

Hsedent2@liverpool.ac.uk

Academic Advisor

Louise Hardwick

louiseha@liverpool.ac.uk

Appendix C

An evaluation of how digital exclusion within the EUSS hinders people from proving they have the right to work in the UK

Version 1; 24/01/2022

The purpose of this project is to understand how EU citizens are hindered from proving that they have the right to work in the UK.

- *To find out what employer's right to work checks are for employing EU citizens*

Could I check that you have understood the participant information sheet? Do you have any further questions regarding your participation?

1. **Do you carry out right to work checks on employees?**

   - What is your procedure on this?
   - Is this carried out on all employees or some?

2. **If an employee is not able to show their documents, how do you proceed?**

3. **Do you tend to employ more UK citizens or EU citizens and why?**

   - Has this changed since Brexit?

4. **Have you had any employees that have not passed the right to work checks? If so, for what reason and how did you proceed?**

5. **Have any of your employees had difficulties applying to the EU settlement scheme or proving their right to work/status under the EUSS?**

   - If so, what were the issues? Were they overcome? If so, how were they overcome?

6. **Do you think the right to work process is made easy for the employers/ HR to carry out?**

- As an employer are you favourable of a digital system?
- If so, why? If not, why?

7. Do you think the EUSS puts off employing EU citizens and if so, why?

8. In your opinion is it easier or harder to hire EU citizens now than before Brexit? What are some reasons for this?

9. Have any of your recruitment policies changed as a result of Brexit?

10. Is there anything else you would like to add?

Thank you very much for your time. Does anything else need clarifying?