

# **Biometric Information: introduction**

**Version 9.0** 

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# About this guidance

This guidance gives officials and individuals an introduction to biometric information.

## In this guidance

- 'Official' means:
  - o immigration, nationality and asylum caseworkers
  - o immigration and border force officers
- 'An individual' means: applicants, claimants, foreign nationals, individuals and dependants

Commercial partners will have their own equivalent definitions of an official.

## This guidance provides

- a background to biometric information:
  - what it is
  - why it is collected
  - o how it is used
- information on biometric documentation, including biometric immigration documents (BID), in the form of a biometric residence permit (BRP) or an individual's online evidence of their immigration status (eVisa) and biometric residence cards (BRCs)

The definition of biometric information (biometrics) for immigration purposes is set out in section 15 of the UK Borders Act 2007 as amended by section 12 of the Immigration Act 2014. This standardised the definition of biometric information across the Immigration Acts. It is information about an individual's external physical characteristics, such as fingerprints. It also refers to features of the iris as an example, but this is not currently used for immigration purposes. The definition can be extended by order to cover internal features as long as they can be measured externally. It specifically excludes DNA see DNA policy guidance.

An individual's biometric information which is relevant for the purpose of this guidance is a facial photograph and up to 10 fingerprints, which can either be captured digitally in the form of a digital photograph of their face, and a scan of their fingerprints or using wet-ink prints and a paper photograph.

#### Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors, then email the Identity Security Policy Team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

### **Publication**

Below is information on when this version of the guidance was published:

- version 9.0
- published for Home Office staff on **06 April 2022**

# Changes from last version of this guidance

Updated the information about biometric residence permits and how they are used with our online services and at the border.

#### Related content

Contents

#### **Related external links**

DNA policy guidance

# Background to biometric information

This guidance is primarily for officials and individuals. It provides the background to the enrolment of biometric information for immigration and nationality purposes.

### What is meant by biometrics?

It is information about an individual's external physical characteristics, such as fingerprints. It also refers to features of the iris as an example, although this is not currently used for immigration purposes. An individual's biometric information which is relevant for the purpose of this guidance is a photograph of their face, and images of their fingerprints.

## Why we use biometrics

Biometrics play a significant role in delivering security and facilitation in the border and immigration system. The biometrics that we currently use (facial image and fingerprints) enable quick and robust identity assurance and suitability checks on foreign nationals' subject to immigration control, delivering 3 broad outcomes:

- establishing an identity through fixing an individual's biographic details (for example, name, date of birth, nationality) to biometric data
- verifying an individual accurately against an established identity
- matching individuals to other datasets (for example, against watchlists or fingerprint collections) to establish their suitability for an immigration product

Biometrics are required as part of an application for an immigration product, such as a visa, biometric immigration document or biometric residence card, from an individual subject to immigration control. They are also taken from individuals who claim asylum, are in the UK but require leave, are unlawfully in the UK, are arrested or detained under the Immigration Acts, are granted immigration bail, lacks adequate documentation to establish their identity and nationality and those subject to being deported from the UK.

## Legislative background

The <u>Immigration and Asylum Act 1999</u> set out the legal basis for taking biometric information from people who are to be removed or deported, people who arrive in the United Kingdom and cannot produce a document establishing identity, nationality or citizenship, and people on immigration bail.

The <u>UK Borders Act 2007</u> provides legislative powers to make regulations to enable the Home Office to issue 'biometric immigration documents' (BID), which have been commonly known as biometric residence permits (BRPs).

Since 2008 it has been a requirement for people subject to immigration control, who are applying for leave exceeding 6 months, must also apply for the issue of a BRP and register their biometric information as part of that process.

The <u>Immigration (Biometric Registration) Regulations 2008</u> set out the legal basis for taking biometric information from people making an application for a BID. Since July 2021, a BID can also be issued as a vignette containing a facial image or in electronic form (eVisas), which will appear as an individual's online evidence of their immigration status.

Since April 2015 it has been a requirement for citizenship applications to provide biometric information. Some applications for evidence of a right to reside under EU law (see below) also had to provide biometric information, but applications under that scheme closed at the end of December 2020.

<u>Part IIA of the British Nationality (General) Regulations 2003 (as amended)</u> sets out the legal basis for taking biometric information from people who are applying to be registered or naturalised as a British citizen.

<u>The Immigration (Provision of Physical Data) Regulations 2006</u> set out the legal basis for taking biometric information as part of immigration applications, where an individual is not required to apply for a BID.

#### Related content

Contents

#### Related external links

Immigration and Asylum Act 1999

UK Borders Act 2007

Part IIA of the British Nationality (General) Regulations 2003 (as amended)

The Immigration (Biometric Registration) Regulations 2008

The Immigration (Provision of Physical Data) Regulations 2006

# What are biometric immigration documents (BID)

A BID is a document which was introduced in the Immigration (Biometric Registration) Regulations 2008 as one secure and easily verified proof of permission to be in the UK which helps to reduce identity abuse. BIDs have been more commonly referred to as biometric residence permits (BRPs), which is a physical document, but since the 1 July 2021 they can also be issued in electronic form (eVisas). They can also now be issued as a vignette containing a facial image.

#### **Biometric Residence Permits**

BRPs are issued in the UK to people who are subject to immigration control and have not been granted status under the Withdrawal Agreement to confirm their permission to stay for a period which, together with any preceding period of leave, exceeds 6 months.

An individual automatically makes an application for a BRP if they make an application for leave for longer than 6 months or apply for entry clearance for longer than 6 months. We will incrementally roll out BIDs in the form of eVisas which will eventually replace BRPs. This means some individuals will get an eVisa instead of a BRP. An individual **must**, in most circumstances, enrol their biometrics for visa purposes, which are then used in the BRP. Further information about the requirement to enrol biometrics will be provided in the updated biometric enrolment guidance. An individual who applies for a replacement BRP **must**, in most circumstances, re-enrol their biometric information, unless the individual is informed that their previously enrolled biometrics can be re-used. The BRP will be the individual's evidence of their lawful stay in the UK and proof of any right an individual has to work or study in the UK depending on the leave they have.

An individual who made an application from overseas will collect their BRP in the UK. An individual who made an application from within the UK will receive their BRP at the postal address they provided in the application form.

An individual is not required to carry their BRP at all times, but they **must** show it at the UK border, if required to, together with their passport, when they travel outside of, and on their return to, the UK.

BRPs have previously been valid for the duration of the individual's limited leave, or for up to a maximum of 10 years or 5 years if the individual is under 16 years old. BRPs are now being incrementally replaced and the ambition is to phase out physical documents before the end of 2024. For this reason, all newly issued BRPs expire no later than 31 December 2024.

A BRP can be used for identification purposes and will show the immigration status and entitlements of the individual whilst in the UK. They are highly secure standalone polycarbonate cards, containing biometric information and immigration status in a tamperproof chip embedded in the document.

The information contained in the chip is the holder's facial image, biographical information and 2 finger scans.

The biographical information is the individual's:

- name
- nationality
- date of birth
- place of birth

The BRP also includes the conditions of leave, such as whether the individual has any right to work or access public funds.

The BRP uses biometric technology to lock the holder into a single identity. When an individual makes an application for a BRP, they must, in most circumstances, submit biometric information in the form of a digitalised facial image and 10 dry electronic finger scans. A child under 5 years old will not be required to submit finger scans. This information is stored on the immigration and asylum biometric information system (IABS) held by the immigration fingerprint bureau (IFB).

The benefits of BRPs include that they:

- allow the Home Office to strengthen border control and lower the risk of unauthorised entry to the UK
- help enforcement staff detect people who are in the country illegally, or abusing the system through identity fraud
- allow public service providers (such as DWP and the NHS) to determine the holder's leave and to check entitlements to make sure those who are here illegally do not receive benefits and other privileges of living in the UK

A BRP enables the holder to:

- provide proof of immigration status in the UK
- prove identity safely and quickly where and when required
- access our online service to prove their <u>right to work</u> and share their right to work information with potential employers
- access our online service to prove their <u>right to rent</u> private rented accommodation and share their right to rent information with potential landlords

Employers and landlords then use our online checking services to <u>View a job</u> <u>applicant's right to work details</u> and <u>View a tenant's right to rent in England</u>, respectively, where an individual has shared their status information.

#### eVisa

An eVisa is a digital form of Biometric Immigration Document and provides the individual with online evidence of their immigration status. It also contains the individual's facial image and full name.

Individuals with an eVisa can view their immigration status online using the View and prove your immigration status service, and share relevant information about their immigration status and rights and entitlements with others. For further information about this service and who can use see: View and prove your immigration status (eVisa).

#### Related content

Contents

#### Related external links

Biometric residence permits View and prove your immigration status Prove your right to work to an employer Prove your right to rent in England View a job applicant's right to work details View a tenant's right to rent in England eVisa guide

# What is a biometric residence card (BRC)?

This page tells officials and individuals what is meant by the term biometric residence card.

European Economic Area (EEA) Rights BRCs were previously issued in the UK to people from outside the EEA or Switzerland who made an application and had a right to reside in the UK because of an enforceable European Union law right or any provision made under section 2(2) of the European Communities Act 1972. The Immigration (Provision of Physical Data) Regulations 2006 (as amended) set out the legal basis for taking biometric information for cards issued under the Immigration (European Economic Area) Regulations 2006 ('the EEA Regulations'). Since January 2021, individuals can no longer apply for an EEA Rights BRC.

Since 2018 the Home Office has issued EU Settlement Scheme BRCs under Appendix EU of the Immigration Rules to non-EEA nationals granted pre-settled and settled status. The <a href="Immigration (Provision of Physical Data">Immigration (Provision of Physical Data) (Amendment) (EU Exit)</a> Regulations 2018 set out the legal basis for taking biometric information from people applying to the EU Settlement Scheme.

Foreign nationals from outside the EEA who were able to live and work in the UK based on rights derived from EU law before 31 December 2020 and those who have been granted status under the EU Settlement Scheme may hold either an EEA Rights BRC or an EU Settlement Scheme BRC. The non-EEA family members of EEA citizens with status under the EUSS receive an EU Settlement Scheme BRC, if they do not already have an EEA Rights BRC, together with access to their eVisa.

#### Related content

Contents

#### Related external links

Immigration (Provision of Physical Data) (Amendment) (EU Exit) Regulations 2018

# Biometric residence permits overseas process

This page tells officials what they need to do to ensure individuals who are granted entry clearance can enter the UK to collect their biometric residence permit (BRP). This page does not apply to individuals who use the <a href="UK Immigration: ID Check app">UK Immigration: ID Check app</a>.

Individuals applying for entry clearance of over 6 months **must**, in most circumstances, enrol their biometric information and apply for a BRP. Further information about the requirement to enrol biometrics will be provided in the updated biometric enrolment guidance. The BRP application will form part of the individual's application to come to the UK. The BRP will be evidence of any leave granted.

You **must** issue successful individuals with a 90-day short term biometric entry clearance visa in their travel document to allow them to come to the UK to collect their BRP. The visa will start from the date the individual gave on their application form that they would travel to the UK. You **must** issue a decision letter which will tell the individual to either collect their BRP from a named Post Office branch, or from their sponsor if they chose that option when they applied. The decision letter will also tell the individual what to do if they are unable to collect their BRP.

If an individual does not travel before their 90-day short term biometric entry clearance visa expires, they will need to apply for a replacement by completing the online form. They will normally be required to pay a fee to replace an expired entry clearance visa and, in most circumstances, will need to make an appointment to resubmit their biometric information unless officials have decided to reuse previously enrolled biometrics.

# Collecting the BRP from a Post Office

Individuals **must** collect their BRP before the 90-day short term biometric entry clearance visa expires or within 10 days of their arrival in the UK, whichever is the later date, but the Post Office will only keep an individual's BRP for up to 60 days. Individuals who fail to collect their BRP within the specified time limit may be liable to sanctions for non-compliance. These are set out in the <u>code of practice</u>.

The decision letter will specify which Post Office branch the individual **must** attend to collect their BRP.

If the individual wants to collect their BRP from a different Post Office to the one specified in the decision letter, they **must** contact the Post Office to do this and pay a fee. The Home Office will only rearrange collection of the BRP if the need for rearrangement is due to Home Office error.

If the individual does not travel within the validity of the short-term biometric entry clearance, they **must** apply for another short-term biometric entry clearance to travel to the UK. This will be done under the overseas transfer of conditions process.

## Third party collection from a Post Office

The individual is expected to collect their own BRP. There will be very few exceptions. Third party collection can be requested by:

- people under the age of 18 unable to collect their BRP at the same time as their parent or legal guardian collects their BRP
- people who are medically incapable of attending a post office to collect their BRP

## **Unaccompanied minors**

You **must** ensure that anyone who is under the age of 18 when collecting their BRP from the Post Office and is not collecting it at the same time as a parent or legal guardian, is accompanied by a responsible adult.

A responsible adult is defined as an adult who, for the time being, takes responsibility for the child. An example of this would be a teacher at a boarding school who has specified pastoral care for that child. The need for an unaccompanied minor to be accompanied by a responsible adult when they come to collect their BRP will be made clear in their decision letter.

#### Alternatives to customer collection at a Post Office

Organisations can request to be an Alternative Collection Location (ACL) subject to the specified requirements. BRPs can be sent directly to the ACL to distribute to their students, clients or employees.

A Standing Authority enables an individual from a particular organisation to collect BRPs from a Post Office branch on behalf of individuals who may be students, clients or employees of that organisation.

For more information please see: Alternatives to customer collection at a Post Office

# Resettlement Refugees

Refugees coming to the UK through the resettlement process **must** be given a visa valid for up to 6 months showing leave outside the Immigration Rules (LOTR) and will receive their BRP from the relevant resettlement support provider.

#### Related content

Contents

#### Related external links

UK Immigration: ID Check app

Non-compliance with the biometric registration regulations

Alternatives to customer collection at a Post Office

# Coming to the UK

An individual's short-term biometric entry clearance visa, BRP, eVisa or BRC is evidence of their permission to come to and enter the UK. An individual **must** show one of these documents and their travel document when entering the UK.

### Use of eGates by nationalities authorised to use them

As well as British citizens, some other nationalities are authorised to use eGates. Further information about those nationalities and when they can use eGates is set out in the <u>use of eGates for quicker entry</u> section of the <u>guide to faster travel through</u> the UK border.

There are some instances where individuals **must** see a Border Force officer to get their passport stamped if they are coming to the UK. Further information about when this applies is set out in the <u>getting your passport stamped by a Border Force officer</u> section of the <u>guide to faster travel through the UK border</u>.

#### Related content

Contents

#### Related external links

International Civil Aviation Organization (ICAO)
Use of eGates for quicker entry
Getting your passport stamped by a Bord Force officer
Guide to faster travel through the UK border

# Biometrics and citizenship applications

This page tells officials why individuals for registration or naturalisation as a British citizen must submit their biometrics and what to do when an individual becomes a British citizen.

Under part IIA of the British Nationality (General) Regulations 2003 (as amended in 2015) anyone applying for registration or naturalisation as a British citizen **must**, in most circumstances, provide their biometric information (facial image and fingerprints) as part of their application. This information will be used to verify the identity of the individual and is checked against any previous biometric enrolments including the fingerprint records held by the police. Children under the age of 5 **must not** provide fingerprints but **must** have a digital photo taken of their face.

You **must** delete any sets of fingerprints taken as part of the citizenship application or provided as part of any previous immigration function or nationality application after confirmation the individual was granted British citizenship. You **must** delete the facial image after the individual concerned has been issued with a UK passport confirming them as a British citizen.

You **must** not issue individuals with a new biometric residence permit (BRP), but they will be allowed to retain their current BRP while their application is decided.

You **must** cancel the BRP of new British citizens and they **must** return it to the Home Office using the address below:

BRP Returns PO Box 195 Bristol BS20 1BT

If an individual fails to return their BRP after they have become a British citizen, they may be issued with a financial penalty.

Related content

**Contents**