



Home Office

COVID-19: Biometric enrolment, reuse and evidencing status

Version 1.0

Policy guidance on considering handling requirements for enrolling or reusing biometrics or issuing a temporary status letter instead due to reduced capacity for enrolling or where an applicant is unable to enrol their biometrics in the UK.

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About this guidance

This guidance tells caseworkers the approach to handling [application case types](#), made on or before 1 August 2020. It covers circumstances which cannot wait for a resumption to full capacity of biometric enrolment services, following the reduction of normal services at UK visa and citizenship application services (UKVCAS) and service support centres (SSC) in accordance with COVID-19 measures to protect the health and safety of staff and applicants.

Because of COVID-19 measures, it is not possible to operate normal biometric enrolment services for most applicants. Some applicants have an urgent need to complete their applications to switch to a category of leave that allows them to work, access public funds or get free secondary NHS healthcare, where their current category does not, and some have no leave at all.

For the purpose of this guidance:

- 'official' means immigration and asylum caseworkers
- 'senior official' means any official of at least Senior Executive Officer (SEO) grade, or its equivalent
- 'applicant' means applicants, claimants, customers, migrants and parents

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 three 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 a person subject to immigration control.

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 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 **1.0**
- published for Home Office staff on **27 August 2020**

Changes from last version of this guidance

This is the first version.

Related content

[Contents](#)

In-country applications during COVID-19 measures

This page tells caseworkers the approach for handling applications made in-country during COVID-19 measures.

We have taken a customer-led approach to help prevent anyone from suffering as a direct consequence of the closure of our services. The people in the customer groups affected fall into the following broad categories:

- on a route with leave due to expire, who may be eligible for further limited leave or for settlement (indefinite leave to remain)
- switching from one route to another and/or needing to vary the conditions of their extant leave (some variations are priority for example, visitors switching to a work route)
- have no leave who wish to regularise their stay, and Windrush cases (some individuals are vulnerable)
- those who need to replace documents either because they have been reported lost or stolen or need to be replaced

On a route with leave due to expire

Where an applicant made an application before their current leave expired to extend their stay or settle (in any immigration category), their existing leave and associated conditions are automatically extended by virtue of section 3C of the Immigration Act 1971 until their application is finally decided and during any subsequent appeal. If you cannot reuse biometrics for these applicants or they have a reasonable excuse for being unable to enrol their biometrics, they can remain on 3C leave until they can be expected to enrol their biometrics and their application can be decided. 3C leave prevents them from becoming an overstayer and means people can continue to work, study or stay under the same conditions until their application is finally decided and during any subsequent appeal. Applicants who need to replace a Biometric Residence Permit (BRP) and their leave is due to expire within three months should make an application for further leave if they intend to continue living in the UK after the date their BRP expires.

Where biometrics are unavailable, a BRP cannot be issued until after they have enrolled their biometrics. When services return to appropriate level, you must contact the applicant to make arrangements for them to enrol their biometrics which will enable a BRP to be issued, subject to complying with normal validity requirements.

Switching or varying the conditions of extant leave

Applicants in this category cannot rely on 3C provisions in circumstances where they require evidence of changes to their immigration status. Their leave and conditions remain as on their existing route unless new leave or a variation of conditions is

granted which would normally be reflected in the issue of a BRP. It is the BRP that is currently recognised by service providers and employers.

Subject to a vulnerability assessment, applicants who do not hold a BRP should be considered a low priority and cannot be issued with a BRP until either their biometrics have been reused, or they have enrolled their biometrics when enrolment capacity increases.

In circumstances where applicants have a compelling or urgent need to access recourse to [public funds](#) or obtain NHS secondary healthcare and subject to biometric enrolment we would grant the application, but they are unable to enrol their biometrics, you **must** issue them with a [status letter](#) (as per the template in this guidance) as evidence of their status pending the issue of a BRP, subject to complying with normal validity requirements.

You **must not** issue a status letter to an applicant who holds a BRP or a visa unless their leave had expired at the time they made their application.

Have no leave and wish to regularise and Windrush cases

Applicants in this category may include many vulnerable customer groups who may make an application to regularise their status in the UK so they can access work or public services. This also includes babies born in the UK to foreign national parents holding limited leave. When a baby is 3 months old they can be subject to NHS charging if they have not been granted leave. Many applicants in this category will require some form of urgent or compassionate service provision. You **must** check whether they were previously issued with a BRP or enrolled their biometrics after July 2015 and conduct a vulnerability assessment to determine the correct course of action.

Where you have not identified any reasons for prioritising these cohorts for priority enrolment, but the applicant has a compelling or urgent need to access public funds or NHS secondary healthcare and they cannot attend a biometric enrolment appointment, you **must** issue them with a [status letter](#) (as per the template in this guidance) as evidence of their status pending the enrolment of their biometrics and the issue of a BRP.

Related content

[Contents](#)

Related external links

[Public Funds](#)

Assessing priority for biometric reuse

This page tells caseworkers the criteria to use when assessing whether an applicant, who does not meet the standard criteria should be referred to the Central Vulnerable Triage Team for possible reuse of previously enrolled biometrics or invited to a Service and Support Centre to enrol their biometrics. The Central Vulnerable Triage Team is responsible for managing the referral process.

Criteria for priority assessment

High priority applicants:

- fee waiver local authority supported with no leave (overstayer/out of time)
- fee waiver with no leave (overstayer/out of time)
- Article 3 Human Rights claim on medical grounds
- potential victims of trafficking, female genital mutilation, forced marriage and any other urgent safeguarding matter
- unaccompanied minors
- babies born in the UK to foreign national parents holding limited leave
- fee waiver with existing recourse to public funds with 3C leave
- aged over 70

Low priority applicants:

- 3C leave or no obvious safeguarding / destitution issues

All applicants assessed by the Central Vulnerable Triage Team as meeting the high priority criteria will either have previously enrolled biometrics used to complete their application or be invited to attend a Service and Support Centre to enrol their biometrics. Where an applicant has been assessed as vulnerable, you must consider whether biometric enrolment would be preferable to biometric reuse.

Other urgent requests that do not meet the above high priority criteria

Business areas may receive urgent requests from applicants who consider they have compassionate and compelling reasons to be considered for biometric reuse. This process is **not** designed for urgent treatment for non-vulnerability reasons.

However, if there is a customer who has either been identified by the business area, or who has self-identified, where we urgently need to process their application the request to reuse biometrics, supported by an SEO, must be sent to the Head of ICES, or their deputy, for consideration.

Related content

[Contents](#)

Biometric: enrolment or reuse

This page tells officials how to assess whether UKVI can reuse an applicant's biometrics or whether a new enrolment is required.

Reuse

The general approach for reuse:

- biometrics **must** have been enrolled post July 2015 or the applicant must already hold a Biometric Residence Permit (BRP)
- the new grant of leave **must not** exceed a period beyond 5 years from when the fingerprints were last enrolled – we do not want to delete fingerprints before the person is either required to apply for further leave or leave the UK
- facial image must not be over 5 years old for persons aged over 16 and must not be over 2 years old for persons aged under 16

Children: safeguarding

Where a member of a household is required to enrol their biometrics and is aged under 16 and is part of a family group, you **must** require at least one adult member of the household to enrol their biometrics at the same time to ensure a responsible adult is available at the event.

Officials must check whether members of the same household have submitted separate applications.

Identity: preventing abuse

Where you have concerns about the identity of the applicant you **must** refer the case to a senior official and, where necessary, require them to enrol their biometrics. This includes when you have doubts on whether the photograph they have submitted is a true likeness or whether you suspect the documents used to support the application to be either a counterfeit or a forgery.

You can find guidance on examining scanned documents and checking for impostors can be found on Horizon. You can also find images of authentic documents by checking Document Image Archive.

Biometric enrolment

Where an applicant is required to enrol their biometrics, you must notify the applicant to book an appointment to attend a biometric enrolment event.

Failure to attend a biometric enrolment appointment

Failure or refusal to attend a biometric enrolment appointment must be dealt with in accordance to the "[Code of practice about the sanctions for non-compliance with the biometric registration regulations: March 2015](#)".

Applicants who provide satisfactory evidence that they are unable to attend a biometric enrolment event may have their appointment deferred until a later occasion. Examples of a reasonable excuse may include:

- they are too unwell to attend
- they are required to quarantine
- they are required to continue to self-isolate

Related content

[Contents](#)

Related external links

[Code of practice about the sanctions for non-compliance with the biometric registration regulations: March 2015](#)

Forgery and Impostor Guidance

Evidencing status in the UK

This page tells caseworkers how an applicant can provide evidence of their immigration status if they have been issued with a status letter so they can access the benefits and services they are entitled to.

The [status letter template page](#) provides a template for a letter (the status letter) which must only be issued to applicants who have a compelling or urgent need to access public funds or NHS secondary healthcare. A person who has status may be entitled to benefits and secondary NHS healthcare. They will also have a right to work and to rent accommodation. The letter should not itself be used as evidence of such entitlement and third-parties may need to conduct additional checks to confirm the applicant's status.

Benefits

Entitlements to benefits are generally based around a requirement that the claimant is normally or habitually resident in the UK. The general expectation of the government is that migrants coming into the UK should be able to maintain and accommodate themselves without recourse to public funds. No recourse to public funds is a condition imposed on someone due to their immigration status.

Where an applicant makes a claim for benefits, DWP/HMRC may wish to see evidence of their immigration status to verify their entitlement. The applicant could then provide their status letter, along with any other documentation requested. Using the status letter DWP/HMRC, will contact the Home Office to validate the letter and confirm the applicant's immigration status.

DWP/HMRC should contact the Home Office Status Verification, Enquiries and Checking (SVEC) via the established communication channels.

Healthcare

The law in England requires overseas visitors (individuals) who require secondary care to pay for this treatment, upfront and in full. However, any treatment considered by a clinician to be urgent or immediately necessary will not be withheld or delayed, regardless of the patient's ability to pay though the NHS will later take action to recover the cost of treatment from the individual. Where the individual does not make payment to clear their NHS debt, they may be refused further permission to re-enter or remain in the UK until their debt has been cleared.

Wales, Scotland and Northern Ireland have their own charging regulations for overseas visitors which require payment for certain kinds of treatment.

The NHS Overseas Visitor Manager (OVM) may wish to confirm if NHS treatment charges apply when an individual seeks treatment. The OVM must first use the following sources of information to determine if charges apply:

- a positive (Green) immigration status is displayed on the Summary Care Record
- a positive immigration status is already returned by MESH reports
- the individual has provided a document, Biometric Residence Permit or digital status that proves their status in relation to the Immigration Health Surcharge
- the individual has been covered by the Immigration Health Surcharge but remains in the United Kingdom due to travel restrictions

Status letter

The individual seeking medical treatment can also present their status letter which confirms that they can access most secondary NHS healthcare without charge. The status letter advises that an identity document should also be presented alongside the status letter. For the individual this can include a recently expired photographic identification document. For a child under the age of one, who does not have a valid passport, the child's parent may present their valid, or recently expired, photographic identification document (for example passport) alongside the child's birth certificate as evidence of identification.

If the OVM needs to validate the status letter because they are unable to confirm the immigration status and whether charges apply to an individual, they can contact Home Office Status Verification, Enquiries and Checking (SVEC) via the established communication channels. OVMs **must not** contact SVEC if the alternative sources of information set out in this section can be used to verify immigration status and any such requests will not receive a substantive response.

COVID-19

The NHS have been advised that immigration status checks are not required of anyone who seeks a test or treatment for COVID-19 and individuals will not be charged for the diagnosis or for any treatment they receive.

Right to work

All employers in the UK have a responsibility to prevent illegal working. They do this by conducting simple right to work checks, to make sure the individual is not disqualified from carrying out the work in question by reason of their immigration status.

Employers should conduct a right to work check before they employ a person or if the individual's right to work is time-limited, they should carry out a follow-up check on existing employees shortly before their permission to be in the UK expires.

Where an individual presents a status letter their employer must contact the [Home Office Employer Checking Service](#). If the person has a right to work, the Employer Checking Service issue a 'Positive Verification Notice'. This must be retained as it provides the employer with a statutory excuse for 6 months from the date in the notice.

Employers must take extra care to ensure no-one is discriminated against as a job applicant or employee because they are unable to show their documents during COVID-19.

Right to rent

The Right to Rent Scheme was launched to ensure only those who are lawfully present in the UK can access accommodation in the private rental sector. Landlords and letting agents (landlords) comply with the Scheme by carrying out simple document checks (right to rent checks) to determine that the individual is not disqualified from renting by reason of their immigration status. Currently, the Scheme is in operation in England only.

Landlords should conduct a right to rent check before they enter in to a tenancy agreement or where an existing tenant's right to rent is time-limited, they should carry out a follow-up check shortly before their permission to be in the UK expires.

Where an individual presents a status letter their landlord must contact the [Home Office Landlord Checking Service](https://www.gov.uk/home-office-landlord-checking-service) (LCS) at www.gov.uk. If the person has a right to rent, the LCS will issue a 'Positive Right to Rent Notice'. This provides the landlord with a statutory excuse for 12 months from the date in the notice.

The LCS will provide a response to the landlord within 2 working days or an automated response will be sent informing them that they can let their property to tenant in question.

Landlords must take extra care to ensure no-one is discriminated because they are struggling to evidence their right to rent during COVID-19.

Redress

If the Home Office does not corroborate that the applicant is entitled to access benefits or free secondary healthcare, or that they have a right to work or rent, despite the applicant being in possession of a status letter, then the applicant can contact UK Visas and Immigration using the contact details on their status letter.

Related content

[Contents](#)

Related external links

[Employer Checking Service](#)

[Landlord Checking Service](#)

Status letter template



Home Office

UK Visas and Immigration

Your reference

Case ID

Date

Dear xxx

Reference number: (HO & UAN)

Thank you for your application to **XXXXXXXX** which was submitted on **DD MM YYYY**.

This letter serves as confirmation that, pending the issue of a Biometric Residence Permit (BRP), you are eligible to apply for public funds, and access [most secondary NHS healthcare](#). The NHS or Department for Work and Pensions (DWP) may ask to see this letter, or for you to tell them about it. If you are asked, and you can, please also present an identification document alongside this letter; this can include a recently expired photographic document. If you have a child aged under 1 year old, and they do not have a valid passport, you may use your valid, or recently expired, photographic identification document (e.g. passport) alongside their birth certificate as evidence of identification.

[Use wording for standard grant template except references to BRP, either inserting into this letter, or as an Annex]

You are required to enrol your biometrics (fingerprints and facial photograph) but the restrictions in place during the COVID-19 epidemic mean that it is not possible for you to enrol your biometrics at this time. We will contact you within 3 months of the date of this letter to update you on the arrangements to enrol your biometrics, and we will then be able to issue you with a BRP. There will be no additional charge for this.

Information for other Government departments, employers and landlords

If the Department for Work and Pensions, NHS, relevant Local Authority or other government department wishes to validate this letter, they should contact Status Verification, Enquiries and Checking (SVEC) at the Home Office via established communication channels. Employers and landlords will need to use the Employer and Landlord Checking Service at www.gov.uk to confirm your entitlement.

All requests to validate the status letter with the Home Office must be titled “**Unable to enrol biometrics – validation of status letter required**”.

This letter is valid until [*insert date, 6 months from date of letter*]. After this date, you will be required to use a BRP as evidence of your status, unless we advise otherwise.

Yours sincerely,

Application types

This guidance is to be applied to the following application types:

- Citizenship
- Marriage
- Family
- Tier 1
- Tier 2
- Settlement
- Windrush
- Other non-Points-Based System (PBS) (define)
- Transfer of Conditions
- European Union Settlement Scheme (EUSS)
- Turkish European Communities Association Agreement (ECAA)
- Biometric Residence Permit (BRP) Replacement
- Family Human Rights
- Change of Circumstances

This guidance is **not applicable** to the following application types:

- Destitute / Domestic Violence
- Visitors
- Asylum
- Further submissions

Related content

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