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August 2008

Ref: Identity Card for Foreign Nationals

Dear Stakeholder

The implementation of the National Identity Scheme moves a step closer with the launch of Identity Cards for Foreign Nationals in November 2008. We are writing to give you some background to the scheme and to keep you updated with its rollout. May we also take the opportunity to ask you to cascade the message to your wider audiences.

Securing our Borders through the National Identity Scheme

The Government's National Identity Scheme (NIS) gives people for the first time the ability to prove who they are in a secure and convenient way, protecting themselves and their families against identity fraud, crime, illegal immigration, illegal working and terrorism.

The Identity Card for Foreign Nationals is the first part of the NIS and will be rolled out on an incremental basis over the next three years to all foreign nationals. From 25th November 2008, the UK Border Agency (UKBA) will start issuing compulsory identity cards to foreign nationals who apply for further leave to remain in the UK within certain categories (student and marriages/civil partnerships). This will help keep our borders strong, and will provide additional protection against illegal immigration and illegal employment.

Identity cards for foreign nationals will build on existing safeguards which strengthen our borders, like fingerprint visa checks before people travel to the UK, a strong new force at the border and the future introduction of new technology to count people in and out of the country.

From November 2008, fingerprints and facial images will be captured at six centres around the UK as part of the process of making a decision about an individual's right to be in the country.

The robustness of the UKBA process and technology has been tested through a three month pilot phase; where around 10,000 foreign nationals (student and marriage/civil partnership categories) have had their biometrics enrolled as part of their application.

Employers need to be aware that under the Government's new Points Based System (PBS), businesses need to be licensed as sponsors by the UKBA before they can bring in any skilled foreign workers from outside the EEA. Businesses found to be employing illegal workers with no right to work in the UK face fines and even a prison sentence.

For any employer who breaks the rules and employs foreign nationals with no right to work in the UK, the outcome is clear — huge fines are already being handed out by the UKBA. Recent figures released by the Home Office show that between 29 February and the end of April the new regime of civil penalties has already seen 137 notices issued, equating to more than half a million pounds worth of fines.

Use of the Identity Card

The card provides evidence of the holder's nationality, identity and status in the UK. It will provide information that will help public agencies; employers and educational establishments more easily understand the migrant's entitlements. It will also be an additional simple form of confirming identity and right to work and access public services for individuals who have entered the UK. This will enable them to work or study legitimately under the Government's new points based system, which is being rolled out from this year.

Importance of the card

Taking an image of a person's face and fingerprints and then locking them to that person's details on a national register, provides a very safe and secure way of identifying that person and helps to combat illegal working and reduce illegal immigration to the UK. The card will provide a convenient, extremely secure and widely accepted way for any foreign national to prove their immigration status.

Checking the identity card

Employers will check the card visually. The applicants entitlement to work, study or access public funds will be captured in the "remarks" section of the card. Guidance on checking the validity of the identity cards will be provided in September to ensure all stakeholders are familiar with its design and recognise the card when it is presented to them. UKBA will have an Employers Verification Service (telephone) which can be used by organisations if there is concern over the validity of the card. This information will be provided with the guidance.

Benefits of the card

PBS requires colleges, employers and others who benefit from migration to sponsor skilled or temporary migrants coming to the UK. They will need a licence to do so. The sponsor will have to keep proper records of the migrants they have sponsored, including their contact details and, in time, a copy of their identity card, and supply those to UKBA on request. When the card is designated under the Identity Cards Act 2006 it will be linked to the National Identity Register (NIR).

The identity card will help businesses:

- reduce administrative burden
- make it easier for employers, sponsors and others to check entitlements
- ensure those who are here illegally do not receive benefits and other privileges of living in the UK

For the individual it will make it easier to:

- provide proof of their right to live in the UK
- prove their identity safely and quickly where and whenever this is required
- get a job - as potential employers can use the card to check future employees identity and employment status quickly and easily

What changes will be involved with the introduction of the card?

The introduction of these cards does not require organisations to make changes to the checks they currently undertake for foreign nationals to be in the UK. It will replace existing vignettes and other immigration status documents which are not as secure as the new identity card.

Returning to the UK

When a foreign national, who has already been granted further leave to remain and is issued with an identity card, returns to the UK, they will be required to show their Identity Card at the border (together with their national passport) to confirm their immigration status. Checks at the border will include visual checks of the card, use of card readers and increasingly further biometric checks.

Who will be issued the card from November 2008?

From 25 November 2008, the issuing of identity cards will apply initially to non-EEA nationals who are granted further leave to remain under the student and marriage/civil partnership categories. Other applicants will still receive a vignette in their passport, resulting in both systems running in parallel in the first few years of the programme. The roll out strategy "Introducing Identity Cards for Foreign Nationals" published in March 2008 details the volumes of foreign nationals that will be applying for leave to enter and remain, to have a card, within three years of the rollout. By 2014/15 90 per cent of foreign nationals will have an identity card.

Following the issuing of Identity Cards to foreign nationals, the National Identity Scheme roll-out will continue with Identity Cards for workers in sensitive roles and locations like airports next year. In 2010 voluntary Identity Cards will be offered to young people and in 2011/12, voluntary identity cards will be offered to large numbers of the British public.

What's next?

We will be issuing guidance for checking the card in late September. The guidance will provide details on the design of the card, its use, and physical security features. In the meantime, if you have any questions please contact the Identity Management team at identitymanagement@homeoffice.gsi.gov.uk.

Yours sincerely

Tony Mercer / Isabel Hunt

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