

Monitoring report (March-June 2021): EU Settlement Scheme in Wales

Y Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol | Hydref 2021
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Contents

Introduction	2
1. Background	3
2. Latest quarterly statistics.....	3
3. Outcomes: ‘settled’ or ‘pre-settled’?.....	3
4. Pre-settled citizens: second application to stay.....	4
5. Who has applied from Wales?	6
6. Late applications.....	6
7. Beyond the application deadline	6

Introduction

The Minister for Social Justice is responsible for the Welsh Government's activities around the EU Settlement Scheme (EUSS) in Wales.

The EU Settlement Scheme (EUSS) is the UK Government's scheme to which European citizens must apply in order to stay in the UK after Brexit.

The rights of European citizens in the UK are guaranteed by the UK's international agreements with the EU, Norway, Iceland, Liechtenstein and Switzerland. The Welsh Government must adhere to these agreements.

Data on applications to the EUSS is recorded by the UK Government. High level statistics are published monthly and detailed statistics, including Wales-level data, is published quarterly.

This report presents the findings for the period March-June 2021, up to the Scheme's 30 June application deadline. Quarterly reports will be provided to the Committee to inform its monitoring of this issue.

1. Background

Following the UK's exit from the EU, European citizens who were living in Wales before 31 December 2020 must have applied to stay by 30 June 2021.

This applies to citizens from EU Member States, Norway, Iceland, Liechtenstein and Switzerland but not to Irish citizens, who are exempt under separate arrangements. The number of citizens from these countries living in the UK is unknown, meaning nobody knows how many applications there should be.

Since its launch, more than 6.1 million applications have been submitted to the the UK's EU Settlement Scheme (EUSS). Successful applicants are granted a status of either 'settled' or 'pre-settled'. For background, see Senedd Research's previous article on this issue.

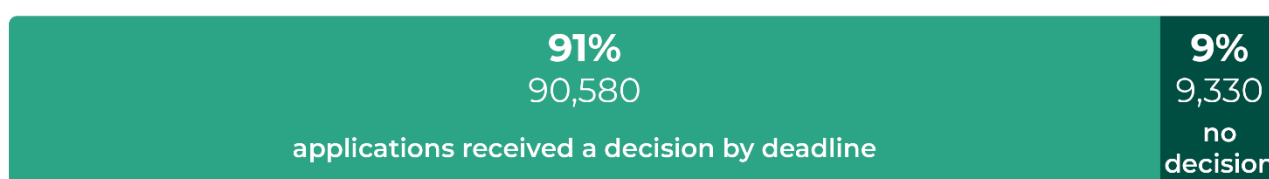
2. Latest quarterly statistics

Up to the 30 June application deadline, there were 99,910 applications from Wales against an estimated 95,000 eligible citizens who needed to apply. 90,580 of these had received a decision by the application deadline and are referred to as 'concluded applications'.

This means that 9,330 applications from Wales, including 3,360 from those aged under 18, had not received a decision by the application deadline, as shown in the bar chart below.

Delayed decisions can lead to a range of problems, such as people being wrongly refused employment, housing and other services.

Number of applications from Wales that had received a decision by the deadline:



Total applications from Wales before deadline = 99,910

While the UK Government states that applications usually take 5 working days to process, evidence published in June showed that more than two thirds of applicants had waited a month for a decision.

3. Outcomes: 'settled' or 'pre-settled'?

The bar chart below shows the percentage and number of each type of outcome granted to European citizens in Wales by the deadline.

Concluded application outcomes by percentage and number:



By the application deadline, 57.3% of concluded applications from Wales (51,880 applications) were granted settled status. To get settled status, an applicant must have lived in the UK for five years with no absence of more than six months, with some exceptions.

38.2% of concluded applications from Wales (34,620 applications) were granted pre-settled status. European citizens who have lived in the UK for less than five years, but arrived in the UK before 31 December 2020, are granted pre-settled status.

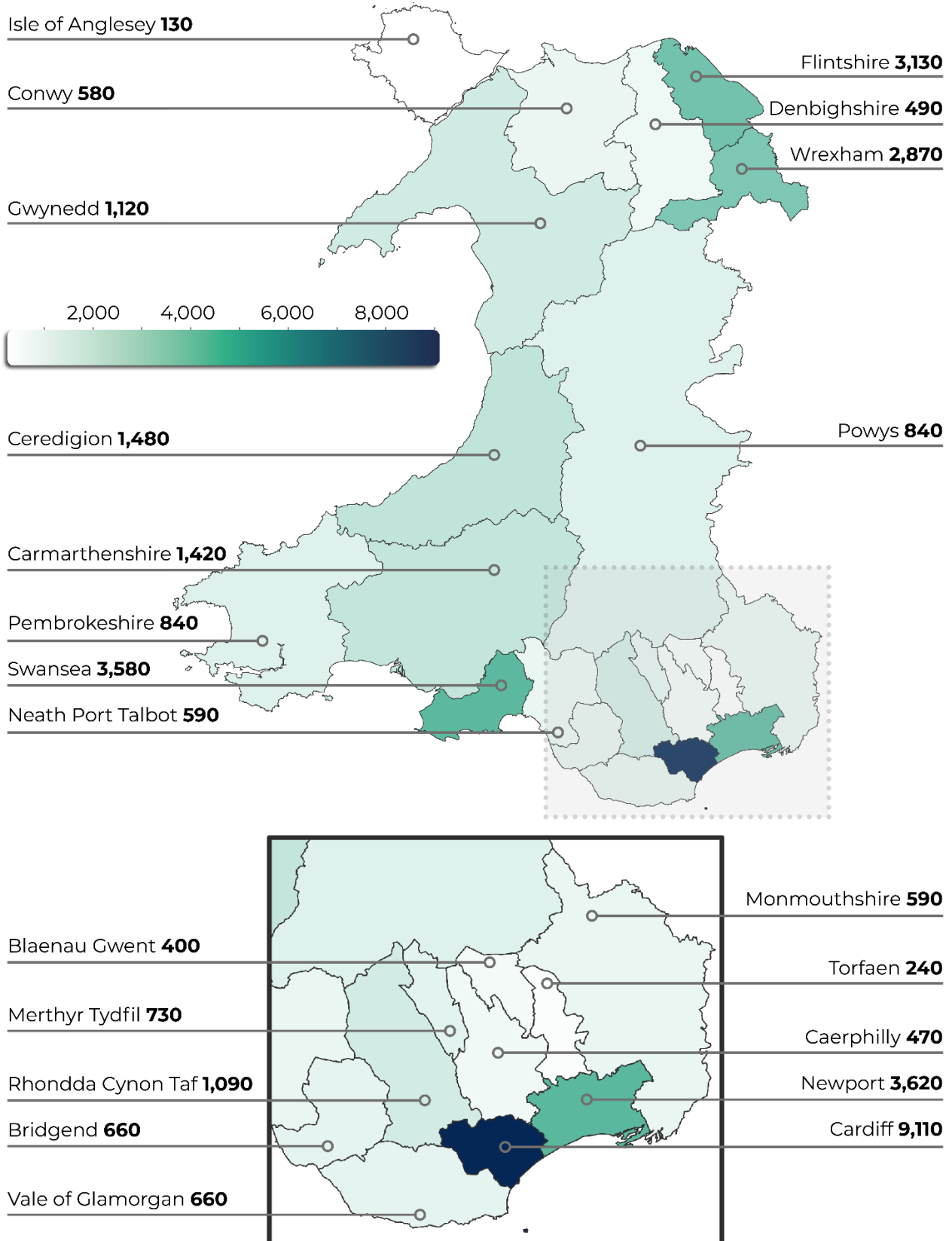
Both settled and pre-settled citizens can work in the UK, and access healthcare, education, and public funds. They can also travel in and out of the UK and apply for citizenship.

However, pre-settled citizens cannot bring family members to join them and lose their status if they spend two years outside the UK (this is five years for settled-status holders). UK in a Changing Europe highlights how pre-settled citizens also face additional eligibility requirements in accessing social housing and homelessness assistance.

Unsuccessful applications are also reported. From Wales, 1.6% were refused (1,420 concluded applications), 1.4% were withdrawn or void (1,240 concluded applications) and 1.6% were invalid (1,430 concluded applications).

4. Pre-settled citizens: second application to stay

Pre-settled status expires after five years and must be converted to settled status via a second application. This means that the 34,620 citizens who were granted pre-settled status before the deadline and want to stay in Wales beyond its expiration will need to apply again. The map below shows the number of pre-settled citizens in each Welsh local authority area:



5. Who has applied from Wales?

The statistics offer insight into who has applied to the EUSS. Applications by age show that, of Wales' 99,910 applications:

- 79,790 applications came from people aged 18-64 (74,270 concluded);
- For those aged under 18, there were 17,030 applications (13,670 concluded) and
- There were 3,090 applications from people aged 65+ (2,650 concluded).

The number of applications that had received a decision by the application deadline ('concluded applications') are shown in brackets.

Applications by nationality show that Polish and Romanian nationals were consistently among the highest application numbers in England, Scotland and Wales. For Wales:

- 30,560 applications were received from Polish nationals; and
- 14,850 applications were received from Romanian nationals.

6. Late applications

UK-wide statistics show that 108,940 applications were received after the deadline. The number of late applications from Wales is not available but more data on late applications will be published in the future.

The UK Government advises that late applications will be considered for those who have 'reasonable grounds' for missing the deadline, such as where a parent has failed to apply on behalf of a child or where a person has a serious medical condition.

Madeleine Sumption, Director of the Migration Observatory at Oxford University, warns that, while UK Government guidance says that late applicants will be given the benefit of the doubt for now, it indicates that this approach will become stricter over time. She highlights the consequences of missing the deadline, such as losing the right to work, rent housing, or access to certain hospital treatment, and potentially being subject to removal.

7. Beyond the application deadline

The Welsh Government's Minister for Social Justice, Jane Hutt, has announced that the funding of its free advice and support for European citizens will cease at the end of 2021.

Beyond this, it is not clear how the Welsh Government plans to support late applicants or the 34,620 pre-settled citizens in Wales who will need to make a second application to convert their status when its five year validity expires.

For EU Member States that require UK citizens to apply for residence, each Member State has set its own application deadline. The remaining deadline is 31 December for UK citizens living in Austria, Belgium, Denmark, Hungary, Romania and Slovenia. People from

Wales living in these countries can access more information on the [European Commission's webpage](#).