

# Settled but not safe?

## EU citizens who stayed after Brexit

November 2025  
*(Republished with amendments January 2026)*

The Committee was established in June 2021 - the same month as the EU Settlement Scheme (EUSS) application deadline. It has monitored the EUSS' operation in Wales ever since, publishing eight monitoring reports and two annual reports. This final report presents the Committee's findings from its work in the Sixth Senedd.



## Chair's foreword

The UK's withdrawal from the EU eliminated the freedom of movement of EU citizens to live and work in the UK. Even those who had previously been granted the permanent right to live here many years ago had to re-apply through the UK Government's EU Settlement Scheme.

Successful applicants now make up 3.6% of the Welsh population, but we remain concerned about those who have yet to apply or who have had difficulty establishing their right to remain through an exclusively online process.

The EUSS has troubling hallmarks of the Windrush scandal. The consequences of not obtaining permission to stay is dire – losing rights to work, housing, benefits, education and even deportation. We add our voice to the chorus of others sounding the alarm.

Since the Spring of 2021, we have published eight monitoring reports and two annual reports, based on evidence from experts.<sup>1</sup> These include Settled, the 3million, the Migration Observatory at the University of Oxford, Cambridge University's Fiona Costello, and the EU citizens' rights watchdog, the Independent Monitoring Authority. We applaud the efforts of these organisations and individuals in providing support to EU citizens and sharing their concerns with the Committee.

Our regular exchanges with Welsh Government cabinet secretaries reassured us of their focus and commitment to support EU citizens to stay. But a future Welsh Government might take a very different position.

We held a debate of the whole Senedd in November 2024 to shed light on the issues faced by some of our most vulnerable constituents. We urge future Senedd Members to remain vigilant about our most vulnerable European citizens who have yet to re-assert their right to live in Wales.

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<sup>1</sup> Equality and Social Justice Committee, [Monitoring and annual reports](#)

## Our findings

### Finding 1: Warnings of a second Windrush

- 1.** Failure to obtain status can lead to the loss of rights to work, housing, education and benefits, and to deportation. Even for status holders, services have been mistakenly denied as a result of a lack of awareness amongst landlords, employers, local authorities and statutory services.
- 2.** This has led to comparisons with the Windrush scandal, where people who arrived in the UK legally from Caribbean countries between 1948-1971 were later denied access to services, and were wrongly detained, deported and denied their rights to permanently live and work here.<sup>2</sup>
- 3.** Proving residency and a lack of documentation were hallmarks of Windrush and are echoed in the EUSS. And like Windrush, the EUSS places the burden of proof on individuals to prove residency when they may not have the necessary documentation.
- 4.** The Brexit separation agreements guarantee the rights of children of status holders so issues could emerge long into the future, as was the case with Windrush. This has intergenerational implications, particularly as those who are now applying as late applicants face narrowed eligibility criteria.
- 5.** We share the views of many who fear a second Windrush. The human and emotional impact of this possibility is masked by the EUSS' technical nature. It risks the most fundamental and critical element of the lives of EU citizens who call Wales home.
- 6.** It is alarming that a similar injustice could happen again. That a potential EUSS scandal could be on a much larger scale makes us all the more determined to do everything in our power to prevent it.
- 7.** We recognise that the intention behind the EUSS is not to produce adverse results, particularly of the seriousness and scale as Windrush. But it is almost inconceivable that, five years on from Brexit, this has become a very real risk.<sup>3</sup>
- 8.** The UK and Welsh governments should avoid reducing their support at all costs if a second Windrush is to be averted. Strategic, long-term planning would

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<sup>2</sup> [Windrush Scandal Explained - Joint Council for the Welfare of Immigrants](#)

<sup>3</sup> Equality and Social Justice Committee, [Monitoring and annual reports](#)

mitigate government overreliance on third sector service providers, and better position organisations such as Settled and the3million to assist.

## **Finding 2: Lack of awareness and understanding**

**9.** We heard time and again how a lack of awareness and understanding is the greatest challenge with the EUSS and that the known issues are likely to be just the tip of the iceberg. Amongst some eligible citizens, a belief persists that the EUSS does not apply to them.

**10.** This lack of awareness and understanding of the ramifications makes it all the more essential to raise awareness of the need to obtain status. We have also heard that a lack of understanding amongst landlords, employers, local authorities and statutory services have led them to mistakenly deny services to EU citizens, even for status holders.

**11.** These unwelcome findings both motivated and galvanised us as a Committee to put important questions to the Welsh Government on its role in raising awareness and understanding in Wales.

**12.** We have asked questions on the non-financial support provided by the Welsh Government to coordinate support, campaigns and information, particularly in relation to targeted campaigns for vulnerable groups and those who may be unaware of the need to apply.

**13.** We have made the case for long-term financial support for awareness raising and advice services. While we have welcomed the Welsh Government's repeated renewal of short-term funding, witnesses to this Committee were unanimous that the demand for EUSS support will continue long into the future, and strategic funding would best position organisations to meet this challenge.

**14.** The commitment shown by both Cabinet Secretaries in this Senedd to supporting EU citizens must be taken forward by a future Welsh Government. Its EU Citizens' Rights Forum, information resources and statements on the important contribution of EU citizens to Wales are positive examples.

**15.** Further steps could augment this by increasing the EUSS' profile. For example, proactive Plenary statements would keep the spotlight on contemporaneous issues and provide a useful opportunity for all Members to raise awareness. Re-itemising the EUSS as a Welsh Government cabinet responsibility, as was the case until March 2024, would also better reflect the status afforded to EU citizens in Wales by this Welsh Government.

**16.** The Cabinet Secretary's spirit of openness and cooperation with us improved our work and we hope this continues into the Seventh Senedd.

### **Finding 3: Complexity**

**17.** Complexity is a significant factor in the EUSS which compounds the other issues discussed in our reports. This complexity creates a higher barrier for those least able to reach it.

**18.** In the course of our work, we have navigated a daunting and intimidating system that is subject to large-scale and frequent changes. In such a complex system, we know that mistakes will undoubtedly be made by both applicants and those charged with making life changing decisions.

**19.** Changes to pre-settled status, narrowed eligibility criteria and the closure of certain routes to obtain status mean relearning the rules every time. We have closely followed these changes with increasing concern for citizens trying to keep up. We have also voiced our concerns around changes such as closing routes to Ukrainians fleeing Russian aggression.\*

**20.** We heard that, for those with digital, administrative and English language skills, the EUSS has been straightforward. This is not the case for those who are more vulnerable. For younger people, older people, children in care or who are looked after, other people with care needs, the Roma community, people who are homeless, victims of domestic abuse, and others, the Committee was told that the EUSS has been, and continues to be, a significant challenge.

**21.** Most applications in Wales are made by nationals from Poland, Romania and Bulgaria. We heard how these nationalities are also more vulnerable as they are often concentrated in lower-income work and more likely to miss out on the EUSS.

**22.** The EUSS is the UK's first digital-only immigration system. This was always going to exclude those without the necessary levels of digital literacy. Citizens who lack a digital footprint evidencing their residency are further disadvantaged because they will not qualify for automatic upgrades to their status and will miss out, as a result.

**23.** As the rate of late applications has spiked, so too has the refusal rate as it becomes increasingly difficult to reach an evidentiary threshold that gets higher

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\* The final sentence of this paragraph in the report published in November 2025 has been removed for factual inaccuracy.

as time goes on. This is counterintuitive and in stark contrast to warnings of a second Windrush discussed above.

## **Finding 4: Data and information**

**24.** Published EUSS statistics are predominantly UK-wide and do not provide a complete picture for Wales. Example of large gaps in information include how many citizens have moved from pre-settled to settled status, automatic upgrades and outcomes for late applications.

**25.** The Welsh Government has made frequent requests for this information but was informed by the Home Office that it would not routinely share Wales-specific statistics.<sup>4</sup> In June 2024, the former Cabinet Secretary told us of “significant challenges” in the relationship, and that her last request “once again...was ignored”.<sup>5</sup> And while the current Cabinet Secretary later told us that this situation had improved, it is not clear what has improved, nor how.

**26.** We see no reason why the UK Government should not publish Wales-level breakdowns and routinely share data with the Welsh Government as a necessary part of EUSS delivery. Complete statistics would be of universal benefit to the EUSS’ operation in Wales. Without it, the Welsh Government will never fully understand this group of more than 113,000 citizens who make up 3.6% of the Welsh population, and for whom it has important responsibilities.

**27.** The number of EU citizens living in the UK before Brexit remains unknown. Initial estimates showed 95,000 eligible citizens<sup>6</sup> in Wales but there have already been over 131,000 applications<sup>7</sup>, of which over 113,000 had successful outcomes. UK-wide, applications total 8.6 million<sup>8</sup> against estimates of between 3-4 million.<sup>9</sup>

**28.** Because the question of how many eligible citizens there are will never be answered, we will never be certain that everyone who should apply has been reached. It is entirely possible that we could still see people coming forward in 10, 20 or 30 years’ time.

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<sup>4</sup> Welsh Government, [Response to the Equality and Social Justice Committee Annual Report: European Union Settlement Scheme, 2024](#)

<sup>5</sup> Welsh Government, [Response to the Equality and Social Justice Committee Annual Report: European Union Settlement Scheme, 2024](#)

<sup>6</sup> [Record of Proceedings](#), 11 February 2025

<sup>7</sup> UK Government, [Immigration statistics, 2025](#)

<sup>8</sup> UK Government, [Immigration statistics, 2025](#)

<sup>9</sup> The Migration Observatory, [EU Migration to and from the UK, 2023](#)

**29.** We urge the UK Government to:

- i. share all available statistics related to the EUSS in Wales with the Welsh Government; and
- ii. to review its published statistics with the aim of improving the availability of information in the public domain relating to the devolved nations.

**30.** We have welcomed the sharing of relevant meeting minutes by the Welsh Government and steps taken to formalise this arrangement in its EU Citizens' Rights Forum terms of reference.

## Recommendations for the future

**Recommendation 1.** The EUSS' long-term nature should be recognised and central to planning at both the UK and Welsh government levels if a second Windrush is to be averted.

**Recommendation 2.** A future Welsh Government must target support towards vulnerable groups and those who are likely to be unaware of the need to apply.

**Recommendation 3.** The UK and Welsh governments must work together. As a minimum, the Welsh Government should have access to Wales-specific data and be involved at an early stage on changes to the EUSS.

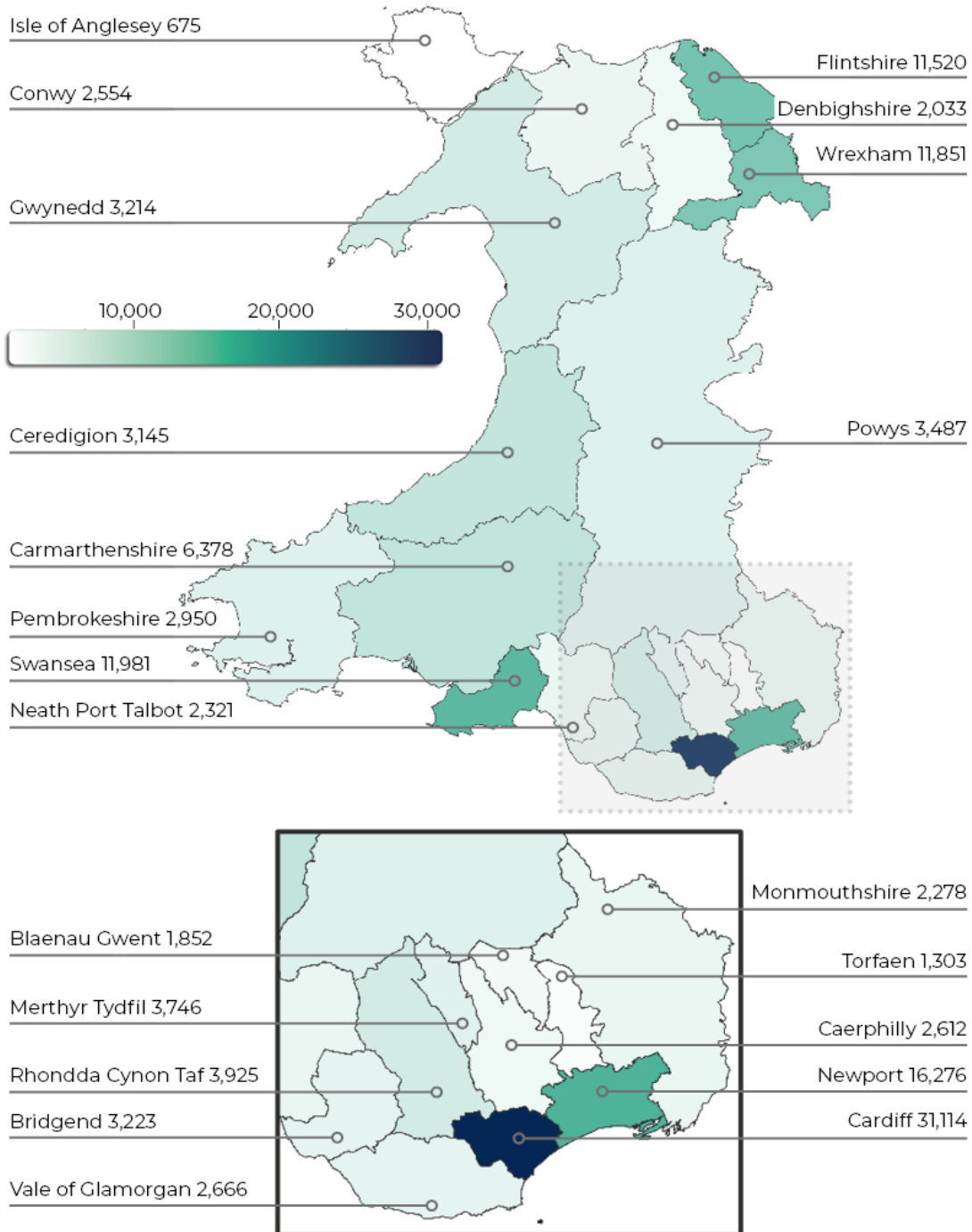
**Recommendation 4.** A future Welsh Government must work with EU citizens and partners, including public authorities, Settled, the3million and the Independent Monitoring Authority, to share expertise and maintain compliance with the Brexit separation agreements.

**Recommendation 5.** A future Senedd committee should continue our work and keep the EUSS on the agenda in the Seventh Senedd. It is our duty as parliamentarians to hold the Welsh Government to account so that no EU citizen in Wales is left behind.

## Appendix: EU citizens in Wales

Since the EUSS launched in 2019, 131,104 applications have been received from citizens in Wales.

Figure 1: Map of Wales showing the total number of applications by local authority.

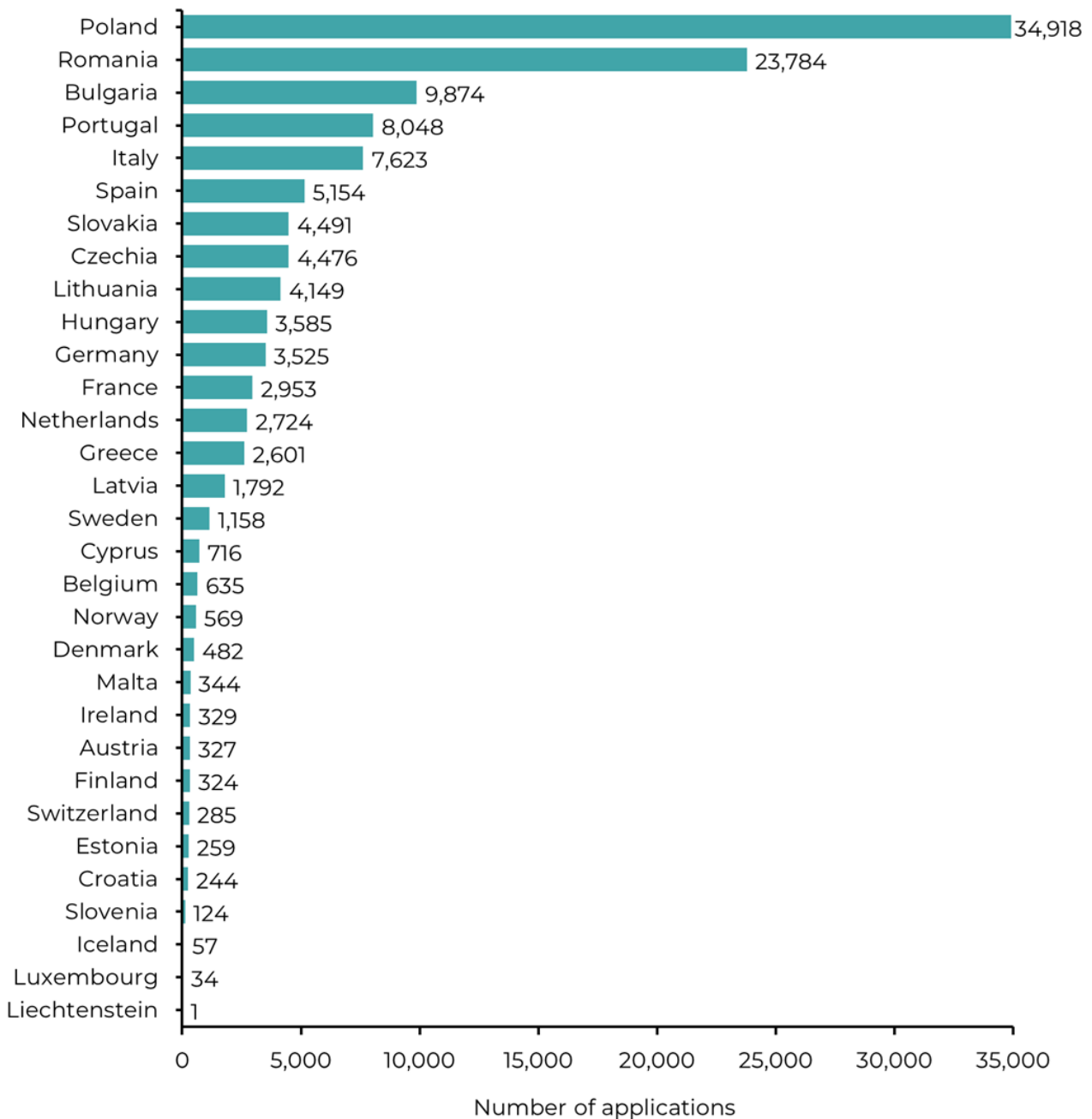


Source: UK Government Immigration System Statistics: EU Settlement Scheme – Summary tables, June 2025.

## Applications by European country

Figure 2 shows total applications by European country. Of 131,104 total applications, the greatest number were made by citizens from Poland (26.6%) Romania (18.1%), Bulgaria (7.5%), Portugal (6.1%) and Italy (5.8%).

Figure 2: Total applications by European country (131,104 total)



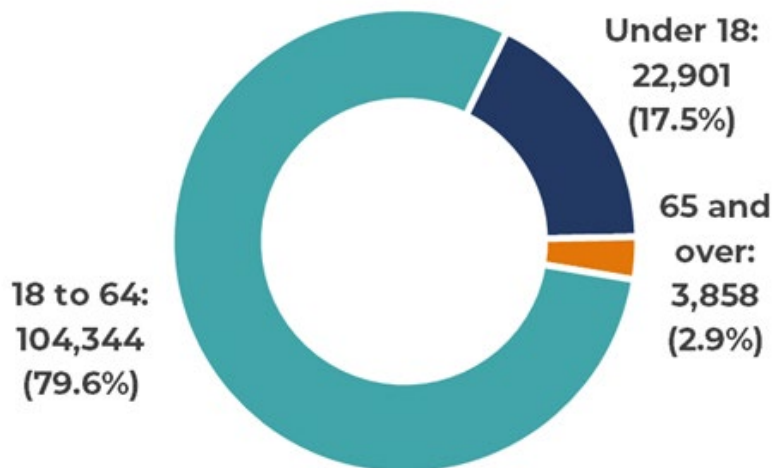
Source: UK Government [Immigration System Statistics: EU Settlement Scheme – Summary tables, June 2025](#).

## Applications by age

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Figure 3 shows total applications by age group.

*Figure 3: Total applications by age group (131,104 total)*



Source: UK Government [Immigration System Statistics: EU Settlement Scheme – Summary tables, June 2025](#).

## Successful outcomes

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113,159 EU citizens who lived in Wales before Brexit can stay, either permanently (settled status) or temporarily (pre-settled status). This constitutes 87.3% of all decided applications.

When pre-settled citizens have proof of continuous residence, they can convert to settled status, either manually via a second application or automatically via Home Office checks. As their pre-settled status expiry date approaches, it may be automatically extended by an additional five years or be converted to settled status.

Both groups can live, work and access healthcare but there are important differences.<sup>10</sup> For example, pre-settled citizens may not be able to access benefits and their family members cannot join them.

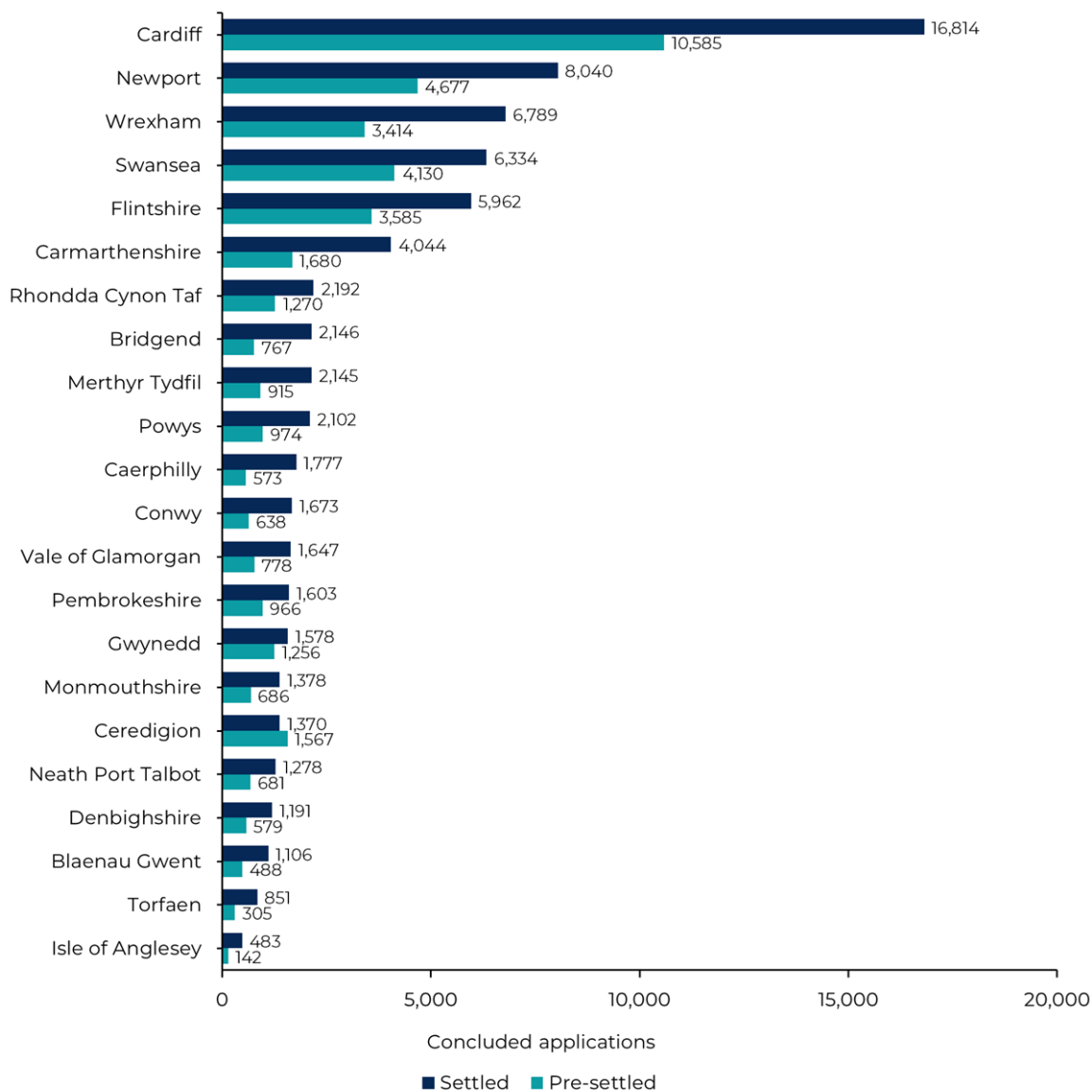
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<sup>10</sup> [the3million.org.uk/presettled-vs-settled](https://the3million.org.uk/presettled-vs-settled)

## Successful outcomes by local authority

Figure 4 shows the number of settled and pre-settled status holders in each local authority area.

Figure 4: Successful outcomes by local authority



Source: UK Government [Immigration System Statistics: EU Settlement Scheme – Summary tables, June 2025](#).

## Converting pre-settled status to settled

The number of those applying to convert their status from pre-settled to settled status are reported as a UK-wide statistic, with almost 1.2 million citizens having

successfully done so – either via manual repeat applications or via the Home Office’s automatic upgrades.<sup>11</sup>

Automatic upgrades began in January 2025 and the UK Government estimates that, between January - June 2025:

*37,260 people were automatically transitioned from pre-settled to settled status, which accounts for 11% of all settled status grants in the latest year.<sup>12</sup>*

Information by UK nation is not provided. This means we do not know how many second applications have been received from pre-settled citizens in Wales trying to convert their status, nor how many have been automatically upgraded.

11% of the 72,503 settled status holders in Wales would mean that around 7,975 individuals have had their status converted through an automatic upgrade.

### **Unsuccessful outcomes**

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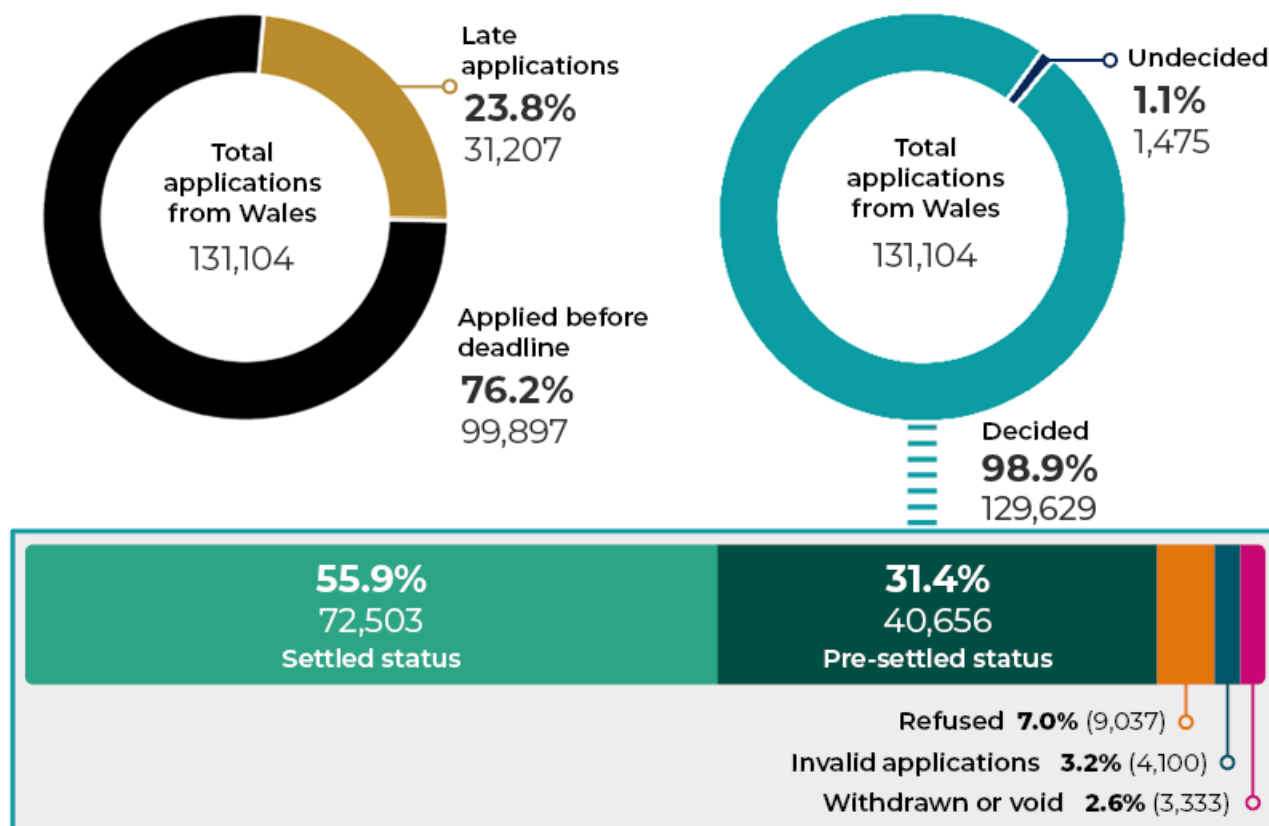
**31.** Unsuccessful applications are categorised as refused, invalid, withdrawn or void.

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<sup>11</sup> UK Government, [Immigration statistics](#), 2025

<sup>12</sup> UK Government, [Immigration statistics](#), 2025

Figure 5: EUSS applications from Wales by date, concluded applications and outcomes by percentage and number:



Source: UK Government [Immigration System Statistics: EU Settlement Scheme – Summary tables, June 2025](#). Numbers are rounded to the nearest 10 therefore breakdowns may not match overall totals.

## Late applications

The EUSS remains open to receive late applications beyond its original deadline of 30 June 2021. UK-wide trends show the majority of applications after the deadline are second applications to convert from pre-settled to settled. A smaller share of applications, around 25%, are from 'late' applicants seeking a status for the first time.

The number of late applications from Wales has reached 31,207.<sup>13</sup> There have been between 369-837 applications each month since the deadline, as shown on Figure 6.

<sup>13</sup> UK Government, [statistical-data-sets/immigration-system-statistics-data-tables#eu-settlement-scheme](#), 2025

