

Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice



Llywodraeth Cymru
Welsh Government

Jenny Rathbone MS
Chair, Equality and Social Justice Committee
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22 February 2022

Dear Jenny,

Thank you for your letter of 1 February.

As agreed in correspondence, and by members of the EU Settlement Scheme (EUSS) Co-ordination Group, I attach the minutes of the most recent meeting of that group to this letter and hope they provide a detailed update on the work of the supporting organisations. As you will be able to see from the minutes, there continues to be a great deal of collaborative activity taking place in this space. It remains a priority of the Welsh Government, third sector organisations and funded partners to continue to support EU/EEA/Swiss citizens in Wales who wish to stay here, as pro-actively as possible.

As you indicated, Newfields Law, Citizens Advice Cymru and third sector organisation Settled, are currently funded to provide immigration advice services until 31 March 2022. However, Welsh Government officials are currently undertaking a review of the continued demand for support services and I hope to be in a position to announce a package of future support very soon. In parallel to this, the Welsh Government has also recently, on 4 February, launched a further Digital Awareness Campaign for the EUSS that will run until 31 March.

This current phase of the campaign aims to signpost EU/EEA/Swiss citizens to the support services that are available, where applicable, and has three objectives, to:

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Jane.Hutt@llyw.cymru
Correspondence.Jane.Hutt@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

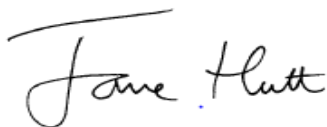
1. Target those who are yet to make an application or those who may need to submit an application for a family member or someone they care for.
2. Make EU/EEA/Swiss citizens with Pre-settled/Settled Status aware of their rights.
3. Make EU Citizens aware of their obligations to update their online immigration status.

In terms of the number of EU citizens in Wales that currently hold Pre-settled Status and will need to apply for Settled Status on the expiration of their current status, the Home Office publishes quarterly detailed statistics on applications made to the EUSS from across the UK. The most recent [EU Settlement Scheme quarterly statistics, September 2021 - GOV.UK \(www.gov.uk\)](#) show that between 28 August 2018 and 30 September 2021 a total of 96,620 applications were made to the EUSS from citizens in Wales and, of those applications, 36,200 were granted Pre-Settled status (37%).

The Welsh Government acknowledges the need to ensure that citizens with Pre-settled Status have the support they need to make an application for Settled Status, as well as those individuals who still need to make an initial application or require an application to be made on their behalf. All these scenarios will be considered within the current review of continued funding.

The EUSS Co-ordination Group has agreed to continue to meet in line with any future funding decisions and minutes of those meetings can be shared for as long as the group continues to meet.

Yours,



Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Meeting Note



Llywodraeth Cymru
Welsh Government

Minister for Social Justice meeting with:	EUSS Co-ordination Group Wales
Date / Time:	13/01/22 10:30 – 12:00

Attendance

Welsh Government – Minister for Social Justice (MfSJ), WG Officials, Settled, Citizens Advice Cymru, TGP Cymru, Home Office, Newport Mind, DWP, WLGA, Charles Whitmore,

Welcome and introductions

MfSJ welcomed the group to the meeting.

Actions from November meeting

- Four actions from the last meeting
- Three complete, one outstanding for Kayleigh Sweet (WG) – liaise internally regarding birth registrations of EU citizens.

Address from the Minister for Social Justice

- MfSJ thanked the members for attending the meeting and for the excellent collaborative work taking place across Wales
- MfSJ informed the group that, as of 30 September, 102,170 applications had been submitted to the EUSS from EU citizens in Wales.
- MfSJ was pleased that funding had been extended for Newfields Law, Citizens Advice Cymru and Settled but acknowledged that it was clear, from feedback received from members of the group in the autumn, that citizens who are still without status will need further support and WG officials are currently looking at how this can be done post March 2022.
- MfSJ notified the group of the new digital communications campaign that is being launched on 28 January 2022
- MfSJ stated that she was not aware of any EU citizens in Wales that had had their benefits terminated but continues to raise concerns in meetings with UKG regarding EU citizens who are at risk.

Home Office update

- Home Office communications – remained quiet from media point of view
- Case studies that have been raised in the press are being looked at by the Home Office. If any partners have concerns about a particular case, they can feed this back to the Home Office and they will escalate them with UKG colleagues
- Stakeholder engagement work is ongoing and the Home Office remains committed to wide ranging engagement across the UK.

- The Home Office will continue to supply relevant communications materials to partners/organisations via Brandworkz
- New assets have been produced and are available to download
- Communications strategy for this year has several priorities and keen to ensure vulnerable people continue to have the scheme flagged to them
- Will continue to keep those with Pre-settled Status updated with what they can and can't do and to remind them to apply for Settled Status

Question (raised by Newfields Law): Is there going to be outreach to those whose family permit applications were made by 31 Dec 20 and would have been successful but for the rule change?

Action – John Ambilino (JA), Home Office, will provide a response to Newfields Law regarding this matter

Question (raised by Settled): Can members of the group come to Home Office Comms colleagues to try and get cases escalated if no resolution from Home Office?

JA – yes, if there are cases members are concerned about, HO Communications will then flag with relevant colleagues. But, for vulnerability cases, liaise with vulnerability team directly.

Question (raised by WG): How long will the EUSS monthly and quarterly stats continue to be produced?

JA – Currently being reviewed. Will update the group if any changes are due to be made.

Round table updates since November meeting - All

Kayleigh Sweet – WG Migration

- Digital campaign being launched 28 January targeting Pre-settled to Settled Status, families and reminding citizens to update status. Links to campaign assets will be shared when the campaign launches
- Tripartite letter sent to Kevin Foster MP regarding physical proof of status. No response yet.
- EU citizens' rights factsheets on Preparing Wales have now been updated and reflect the outcome of the Fratila case.
- The migration team have now started the review of ongoing support post March 2022. Thank you to those that provided information. Hope to have an outcome by the end of the month.
- Welsh Government policy officials have continued to participate in the Cross Government task force on EUSS where we're able to feed back / raise any concerns that are raised in this forum.

Action: Migration officials to circulate link for updated EU citizens rights factsheets to members

Settled

- Main issues clients are facing: refusal decisions, joining family members, late applications, proof of digital status.
- Number of queries are growing – Settled have been running sessions in different languages for clients
- Engaging with clients through Facebook, engagement rate is high
- Launched a client survey in December – 200 responses so far
- The top issue identified from the survey responses already received is being able to prove status. Client's second worry is fear of leaving the UK and not being able to get back into the country on return
- Survey also launched for Settled volunteers, 120 volunteers in total at present
- New office opening in Newport
- Dedicated Roma helpline set up
- Anticipate lots of future work will focus on pre-settled to settled status

Citizens Advice Bureau

- Seeing issues with citizens' rights
- Needing to chase applications who have not been awarded a status
- More cases of dealing with applications for joining family members
- Providing more support on wider issues than status such as access to benefits and healthcare
- Local offices still reporting that recourse to public funds is an issue
- Continue to see trends in clients who didn't realise they needed to apply
- Working on complex cases for homeless and vulnerable applicants
- Several cases for modern slavery/trafficking
- Client demand for support is ongoing and the complexity of problems is increasing
- Also a number of success stories too, EU citizens working with CAB and being integrated into society to use their skills.

Newfields

- Number of appeals ongoing. Paper based appeals are being slowed down while waiting for a response from Home Office
- Might be interesting to have some from Tribunals service to attend this meeting to give information to the group
- Experiencing delays in getting evidence for submission of documents for file requests for appeals
- Refusals – sometimes a decision is not necessary appealable. There will be situations where people are refused and the best option would be submitting a fresh application. People will lose rights as they fall out of the system. Some people don't want to put in an appeal
- We are seeing people who have been refused and are being told by the HO to make a new application rather than challenge the original decision - but there are implications for their rights with this approach.

- Starting to see outcomes of Fratilla case - seeing disputes over rights, benefits etc
- Going to see more benefits advisors being asked to argue fundamental rights
- Systemic problems adding to overtaxed system.

TGP

- Share a lot of experiences of others
- Lots of outreach work being done in communities and other services
- Being able to identify and meet new clients through homelessness teams
- Still a number of people who didn't realise they needed to apply
- Steady stream of new applications
- Pre-application work is taking up a lot of resources
- Working with significant number of people who are still awaiting an outcome
- Meeting groups of people where language support is a struggle
- Funding makes it difficult to access high level translation that the team don't speak
- Meeting people from diff countries in Roma communities
- Working a lot with front line services who approach TGP for support
- Continuing to provide advocacy support for clients on housing etc homeless, children services, people needing support domestic violence
- A lot of the work for EUSS now has increasing wider needs
- Continuing to do a mix of formal appointment sessions in Cardiff and Newport and also some in west Wales as well as 1-2-1 visits, virtual meetings and telephone conversations. Being agile to meet client needs.
- Emergency situations will arise where people will require quick applications or quick appeals

Action: KS to make contact with internal colleagues regarding outreach work with communities ie Roma affected by modern slavery /trafficking and of which will have citizens without status

Newport mind

- Drop in sessions have been held in Cardiff, Wrexham, Newport and Aberystwyth
- Seeing issues around converting from pre-settled to settled - people don't understand the timings and think they have to wait for 5 years before applying
- Seeing issues around travel, people are not travelling as they fear they will have issues returning to the UK
- Concerns regarding applications still stuck in the system that haven't had an outcome
- Dealing with 3 clients that can no longer claim benefits because no response from HO. One gentleman is now homeless, 1 family is temporary accommodation now facing homelessness because of no response from HO. Possibility of 1 other person becoming homeless as he has no evidence of journey into the country
- Want to know what happens when the service Newport Mind currently provides comes to an end? Who will support these people in the future?

- Undertaking an audit of all clients. This will feed into internal plans to how Newport Mind might be able to continue to provide and fund a service for clients post March

Action: KS asked TF to send an email outlining the details of the 3 homeless cases

Charles Whitmore

- Great to hear about the ongoing work and new campaign. Happy to share campaign materials with network once launched
- Continuing to work with organisations to raise awareness of the Independent Monitoring Authority
- Currently working Disability Wales. Happy to disseminate information from the group via Disability Wales to reach the right communities

DWP

- First time attending the meeting for Darran
- Happy to act as group contact for specific issues, happy to forward on to the right colleagues
- Interested in the discussion on protection for welfare benefits. Will take up with policy colleagues to see if there is anything that can be done
- Will share any updates with the group going forward

Action: DWP colleagues to discuss appeals and access to benefits, internally, and feed back to group.

WLGA

- Limited operational role in EUSS applications although WLGA continue keep frontline staff in local authorities updated with various assets and information
- LAs have had funding from WG for last 3 years for EU Transition coordinators – funding now coming to an end
- WLGA will continue to contact and update people on the frontline and act as a conduit for this group

Planned outreach activities and support over coming months – All

Cancelled item due to time

The homeless and access to support – Kayleigh Sweet

- Housing eligibility -Sian previously raised eligibility for homelessness report, Local Authority decision differing from DWP decision. KS asked if there are there any other organisations facing same issues?
- SP – it is a question of where the evidential burden is being placed. And in terms of how the LA have been approaching the request for evidence.
- KS asked NR, WLGA, if he knew how LAs were assessing eligibility?

Action: NR will speak with housing policy officers and get back to group.

EUSS Statistics – Natalie Jones (UPDATE SHARED BY EMAIL)

- The most recent stats were published by the Home Office on 25 November
- As of 30 September 2021, 102,170 applications have been submitted to the EU settlement scheme by EU citizens' in Wales
- Of the 102,170 Welsh applications made up until 30 September 2021, 96,620 applications have been concluded. (55,220 granted Settled Status, 36,200 granted Pre-settled Status, 2100 applications were refused)
- The highest percentage of applications made from EU citizens resident in Wales have been made by Polish and Romanian nationals (30,960 and 15,420 respectively).
- Since August 2018, the largest proportion of concluded applications made by EU citizens in Wales have been from applicants aged between 18-64 (78,090 applications in total, 42,640 granted Settled Status and 31,060 granted Pre-Settled Status).
- 2340 late applications were submitted by EU citizens' in Wales between 1 July – 30 September 2021

Future of the EUSS Co-ordination Group – Kayleigh Sweet

Cancelled item due to time

Update on Independent Monitoring Authority and EU Citizens Rights- Kayleigh Sweet

Cancelled item due to time

Any Other Business

N/A

Jane Hutt MS
Minister for Social Justice

1 February 2022

Dear Jane

EU Settlement Scheme (EUSS)

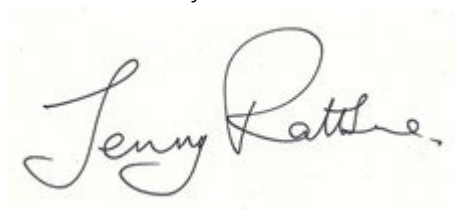
Thank you for your response of 26th November to the Committee's correspondence. We agree with your suggestion that the Committee receive the minutes of the EUSS Co-ordination Group and await confirmation of the outcome of its 22 January meeting.

At our meeting on 24 January we considered an update on the EUSS, including statistics for the period July-September 2021, immediately following the EUSS application deadline.

We noted that there has been no further update since your statement of 20 October 2021, in which you confirmed that the Welsh Government would continue to provide free advice and support services to European citizens applying to the EUSS "until at least 31 March 2022". We are concerned about the consequences for those with pre-settled status who will need to complete a second application within 5 years to stay in Wales should these support services come to an end. Could you please clarify your intention for the funding of these support services, and whether the Welsh Government has considered extending it beyond the end of March?

We would also be grateful if you could confirm whether the Welsh Government has any additional information relating to the number of applications from pre-settled citizens in Wales seeking to convert their status to settled status than that which is publicly available. If this is not the case, could you confirm if you are aware whether this number will be provided in future quarterly statistics published by the UK Government?

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee