

Welsh Government Response

Settled but not safe? EU citizens who stayed after Brexit

January 2026

The Equality and Social Justice Committee was established in June 2021 and continues to monitor the operation of the EU Settlement Scheme in Wales. It has published eight monitoring reports and two annual reports to date.

The most recent report published by the Committee in November 2025, raises concerns about the long-term security of EU citizens' rights and highlights risks, data gaps, and policy inadequacies in the UK Government's scheme. The report concludes that while many EU citizens in Wales have secured their status, systemic complexity, lack of awareness, and insufficient data could create risks of future injustice.

This document sets out the Welsh Government's support of the delivery of the EU Settlement Scheme to date and responds to the Committee's recommendations to be put to a future Welsh Government.

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1. The Welsh Government and the delivery of the EU Settlement Scheme in Wales

Since June 2019, the Welsh Government has funded a suite of complimentary support services to EU, EEA and Swiss citizens who wish to remain in Wales. The Welsh Government remains committed to ensuring that all eligible European citizens who have chosen to make Wales their home are supported to secure their status and be recognised as valued members of our communities.

Since the beginning of the UK Government's EU Settlement Scheme (EUSS), over 130,932 applications have been made, and concluded, by EU citizens who are Welsh residents, providing those citizens with a lawful immigration status. Many of those individuals have accessed some form of Welsh Government funded support in both completing their applications and accessing their rights.

The Welsh Government continues to engage regularly with the EU Citizens' Rights Forum, providing stakeholders in Wales with a dedicated forum to raise and discuss issues. The Forum is instrumental to strengthening reciprocal dialogue on the delivery of the EUSS in Wales and how EU citizens are integrating into Welsh life.

To date, Welsh Government funded support has enabled EU citizens and their family members to access support with applications, get help with basic eligibility queries, receive advice on social welfare issues and workplace rights, and obtain free specialist immigration advice through funded partners. Welsh Government funded partner, Settled, continues to provide support with late and often complex applications as well as issues in accessing rights.

The Welsh Government will continue to support EU citizens in Wales and will endeavour to ensure there is continued free help and advice for as long as there is an evidenced need.

Undoubtedly, there may still be a number of EU citizens in Wales who have yet to apply to the EUSS and/or need support to upgrade their status, and the Welsh Government is continuing to fund support for those individuals. We welcome the role our stakeholders continue to play in ensuring those facing the greatest barriers in our communities can access support they need.

We are pleased to have recently been able to extend our funding to TGP Cymru to deliver specific and targeted outreach work within the Roma community to ensure that no citizen is left behind. We note the Committee's reference to this group in previous reports.

The Welsh Government also welcomes the UK Government's provisions set out within the Border Security, Asylum and Immigration Act (2025) which introduces specific legal protections for EU/EEA/Swiss nationals and their family members who have leave under the EUSS.

I would like to draw to the attention of the Committee the statement at para 19 (page 5) regarding "plans to review settled status holders who may no longer meet the requirements". The Welsh Government understands that the UK Government has no plans to review *settled* status holders, and the Home Office has made this clear. The Home Office can only remove settled status due to serious criminality or where settled status was obtained by fraud. The Committee may have meant *pre-settled* status holders here.

I would like to thank members of the Equality and Social Justice Committee for their recent report on the EUSS. Whilst the recommendations are for the next Welsh Government, I have set out the position of this Government.

Jane Hutt

Cabinet Secretary for Social Justice, Trefnydd & Chief Whip

2. Recommendation 1

The Committee recommends:

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.

Response: Accept

Over recent months the Welsh Government has engaged extensively with the UK Government with regards to the development of the Border Security, Asylum and Immigration Act (2025). The Welsh Government supported the development of the provisions set out in that Bill which create legal protections for EU/EEA/Swiss nationals and their family members who have leave under the EU Settlement Scheme. This means the Bill will continue to protect the rights of EUSS status holders whether or not they were resident in the UK (or the Channel Islands) at the end of 2020.

The Welsh Government continues to engage with the UK Government on future support for the EUSS. Ensuring EU citizens can continue to access the rights and public services conferred to them remains at the centre of those discussions.

3. Recommendation 2

The Committee recommends:

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

Response: Accept

Since the launch of the EU Settlement Scheme, the Welsh Government has funded and worked with partners to ensure EU citizens who may experience barriers to accessing support services are supported through targeted support and outreach. We work closely with our stakeholders to keep abreast of the challenges faced by people within under-represented and marginalised groups.

In 2025-2026, the Welsh Government has awarded TGP Cymru grant funding to deliver specific and targeted outreach work within the Roma community. This has been awarded in response to feedback from the EU Citizens' Rights Forum and addresses the recommendations set out in the last report published by the Equality and Social Justice Committee.

The Welsh Government's EU Citizens' Rights Forum continues to act as a conduit for collaborative activity focussed on support, awareness raising and signposting, especially within marginalised communities, who often experience significant barriers to support.

4. Recommendation 3

The Committee recommends: 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.

Response: Accept

The Welsh Government has long called for better devolved-level data on all aspects of immigration to support better policy making, planning and contingencies where needed.

The EU Settlement Statistics enables the Welsh Government to be able to continue to monitor numbers of applications made and concluded from EU citizens resident in Wales.

The Welsh Government continues to engage with the UK Government regarding the EU Settlement Scheme and related policy changes. To date those discussions have been positive and we have seen a number of beneficial changes as a result, including the introduction of the automation of settled status.

5. Recommendation 4

The Committee recommends: A future Welsh Government must work with EU citizens and partners, including public authorities, Settled, the 3million and the Independent Monitoring Authority, to share expertise and maintain compliance with the Brexit separation agreements.

Response: Accept

The Welsh Government's EU Citizens' Rights Forum provides opportunity for partners and representatives of EU citizens in Wales to share expertise, as well as raise and discuss issues.

The Forum has a wide range of representation and facilitates the sharing of information in relation to the implementation of the Withdrawal Act Agreement. Through this Forum partners can share concerns and experiences, which the Welsh Government can then pass on to the UK Government for consideration where necessary and where agreed.

The Welsh Government also continues to maintain a proactive and positive relationship with the Independent Monitoring Authority to ensure all public bodies uphold their statutory obligations to EU citizens in Wales, in line with the Brexit separation agreements.