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Llywodraeth Cymru
Welsh Government

David Rees AM
Chair, External Affairs and Additional Legislation Committee
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11 March 2021

Dear David,

Thank you for your letter of 17 February, in which you set out the recent follow up work the External Affairs and Additional Legislation Committee had undertaken with regards to the changes to freedom of movement post Brexit. I very much welcome the attention the Committee has given to this important issue and note the evidence you have provided and the recommendations you have put forward to the UK Government. I will respond to your recommendations to the Welsh Government.

As you will be aware, the Welsh Government is committed to ensuring that people from all countries, not only the EU, who have chosen to make their home in Wales feel welcomed and valued members of our communities. A signal of this is the extension of the franchise for Senedd and local elections to residents in Wales, regardless of nationality.

Unfortunately, the end to the freedom of movement has meant considerable change for EU citizens. But, and as I have said previously, I am determined that we do all we can to ensure that this change does not impact on their decision to remain here. EU, EEA and Swiss citizens enrich our communities hugely, contribute significantly to our public services, support our economy and businesses, and add to our overall economic success. That is why Welsh Government announced a package of additional funding to support the continuation of a number of EUSS focused services within the final budget announcement of 2 March.

As the Committee evidence suggests, it is essential that we identify and support those in our communities who are at risk of missing their opportunity to apply for the settled status, including in particular vulnerable adults and children and those that may find the digital only application process overwhelming. We have consistently pressed the UK Government – though regrettably they have chosen not to take the action we recommended – to extend the EUSS application deadline of 30 June 2021, particularly in light of the current pandemic. In this context, how we support EU citizens over the next few months and beyond is more important than ever.

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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.

Over recent months, in partnership with local government and other partners and stakeholders, the Welsh Government has been considering what further support both us and partners could provide in the lead up to the EU Settlement Scheme deadline and beyond. We have recently announced additional funding for Newfields Law, Citizens Advice Cymru and Settled and this should contribute further to ensuring that EU citizens living in Wales are aware of the EU Settlement Scheme and have access to free immigration advice, no matter the complexity of the case. The Welsh Government's continued support for Local Authority EU Transition Co-ordinators will also facilitate this and enable local authorities to provide more flexible local support, tailored to the needs and concerns of their local population.

I would like to thank the EAAL Committee for the strong focus it has given to this area and I am encouraged that the Committee's recommendations chime strongly with the Welsh Government's current work and our plans for the coming months, as we near the deadline for EUSS applications.

In the sections below I provide a detailed response to each committee recommendation for the Welsh Government.

Recommendation 1. Due to the on-going concerns surrounding this issue, we repeat the recommendation from our original report: that the Welsh Government reiterates its message of support to EU citizens in Wales. We recommend that the Welsh Government continues its efforts to reach EU citizens and partner organisations to raise awareness of the EUSS and the need to apply before the 30 June 2021 application deadline.

Response: Accept

The Welsh Government has, and will continue to, support EU citizens in Wales as much as we can. We will continue to ensure that there is free help and advice available to all making a EUSS application and that additional support is available to particularly vulnerable groups.

In December 2020 the Welsh Government launched a new targeted communications campaign via social media to signpost EU citizens to dedicated advice services and this targeted campaign will run until the end of March 2021, building on our previous social media engagement. In addition to this the Welsh Government has now developed a more detailed communication plan for EUSS and will work with a number of partners over coming months to communicate key messages and raise awareness via social media, the EUSS Wales Co-Ordination Group, local radio, sector specific news articles and Welsh Government press notices.

Very recently the First Minister published an open letter to EU citizens living in Wales to reassure them that we wish them to remain and will support them to do so. This has been published in 10 European languages, as well as Welsh and English, to seek to maximise the chances of it reaching its intended recipients. This builds on the work which has already been undertaken in our effort to raise awareness of the scheme, and with the recently announced funding package as part of our final budget we can now extend this support further and continue with our awareness campaigns and associated work.

Recommendation 2. We recommend that the Welsh Government extends its support, either through the existing EUSS Wales Co-Ordination Group or by other means, beyond the 30 June 2021 deadline, in particular to take account of people whose circumstances have changed due to the COVID-19 pandemic and vulnerable groups who may have missed the deadline due to difficulties in their circumstances.

Response: Accept

We remain concerned about the number of vulnerable EU citizens in Wales who may not secure their settled or pre-settled status by the June deadline and we hope the recent funding announcements will go some way to mitigate this concern. We will continue to press the UK Government for reassurances around late applications and the impact of COVID-19 and I have recently also written to Kevin Foster MP Minister for Future Borders and Immigration to raise my concerns. In the meantime we will continue to provide support to seek to avoid this outcome.

In light of this, the Welsh Government has recently extended its funding for both Citizens Advice Cymru and Settled up until 31 December 2021. This will mean that Citizens Advice Cymru can continue to provide their general services as well as advice on settled status applications, social welfare, benefits and employment and workplace matters; Settled will remain focused on providing assistance to vulnerable and hard to reach EU citizens.

In addition, the Welsh Government's contract with immigration law firm Newfields Law has recently been extended from March 2021, and Newfields Law will continue to provide information and support, including complex immigration advice, to EU citizens living in Wales to help them apply successfully for settled status. Welsh Government officials will review this contract on a 3 monthly rolling basis for the period that we anticipate support may be required for EU citizens, potentially for up to a total of an additional 12 months.

Recommendation 3. We recommend that the Welsh Government makes every effort to support EU citizens to navigate the digital application process in the absence of face-to-face support, and that it takes particular account of the needs of vulnerable groups in doing so.

Response: Accept

As mentioned above the Welsh Government has recently announced continued funding, up to a potential additional 12 months, for Cardiff-based law firm Newfields Law, to continue to provide information and support, including complex immigration advice, to EU citizens living in Wales and to help them apply successfully for settled status. The advice service advises on eligibility for settled and pre-settled status, advises on the documents required to support both application types and where appropriate, assists in the submission of the application itself. Newfields Law also assist with any post-completion queries including questions raised by the Home Office and support challenges to any decisions using the Home Office's Administrative Review procedure where appropriate. Although face-to-face interaction has been postponed due to the pandemic Newfields law are still providing advice via a number of alternative interactive platforms including over the phone, email, webchat and video chat meetings.

Citizens Advice Cymru and Settled will continue to provide support with more straightforward settled status applications up until 31 December 2021. Settled focuses on providing support to vulnerable and hard to reach EU citizens. Local authorities have also recently been given additional funding to provide flexible, bespoke support for EU

transition which would include providing targeted EUSS support for hard to reach and vulnerable groups.

Recommendation 4. We recommend that Welsh Government make every effort to use existing channels to provide support to Welsh employers to enable them to navigate the new immigration system, including the new health care visa, the immigration skills charge and the additional licence fee.

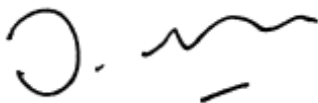
Response: Accept

Although migration is a reserved matter, the Welsh Government has taken on an important role in seeking to support EU citizens directly as well as businesses and other employers that employ EU citizens. With this in mind, the Welsh Government's Preparing Wales website provides advice and support to EU citizens and employers and directs Welsh employers to the UK Government's 'Employers Toolkit' which provides information and guidance on supporting EU citizens in applying to the EU Settled Scheme as well as providing information on employing people from outside the UK and employee rights. In addition, the Business Wales EU Transition portal offers dedicated support for businesses.

Many Welsh Government channels exist whereby we can communicate our messages to businesses, including via the above online platforms and regular newsletters and e-bulletins across all sectors that the new requirements will affect.

In addition to this the Citizens Advice Bureau Wales provides additional advice on employment and work place matters.

Yours sincerely,

A handwritten signature in black ink, consisting of a large 'J' followed by a series of loops and a horizontal line at the end.

Jeremy Miles AS/MS

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