

IMA

For the Citizens'
Rights Agreements

Annual Report to the Specialist Committee on Citizens' Rights established under the Withdrawal Agreement and the Joint Committee established under the EEA EFTA Separation Agreement



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1. Introduction

This report is prepared in accordance with Article 159(2) of the Withdrawal Agreement and Article 65(1) of the EEA EFTA Separation Agreement. It reports on measures taken in the UK and Gibraltar to implement and comply with Part 2 and the number and nature of complaints made to the Independent Monitoring Authority on Citizens' Rights ("the IMA")¹.



1 European Union (Withdrawal Agreement) Act 2020 (legislation.gov.uk)

The requirement for the IMA to prepare this report is set out in the UK's domestic legislation in paragraph 31 of Schedule 2 to the European Union (Withdrawal Agreement) Act 2020 ("the Act"). Similar provision in relation to Gibraltar is made in regulation 14 of the Independent Monitoring Authority Regulations 2020 ("the Gibraltar Regulations"). In accordance with these provisions, this report provides information on the exercise by the IMA of its functions in relation to Part 2 of the Agreements.

This is the fifth annual report prepared by the IMA and reports on the 12-month period from January 1 to December 31, 2025. The report includes some post year-end updates in order to help readers understand the current status of matters discussed.

In addition to the prescribed matters which the IMA must report on, the report contains information that we think is relevant to our operation which relates to this period.

The report is submitted to the Specialised Committee on Citizens' Rights established under Article 165(1)(a) of the Specialised Committee and the Joint Committee established under Article 65(1) of the EEA EFTA Separation Agreement.

This report provides details on the implementation of Part 2 of the Withdrawal Agreement and Part 2 of the EEA EFTA Separation Agreement. In general, the report does not distinguish between the two except where that is relevant and helpful.

The report is submitted to the governments of each part of the UK and Gibraltar who lay it before their respective legislatures as required by the Act and the Gibraltar Regulations.³

The report will be published on the [IMA website](#) where full details of all our work can be found.

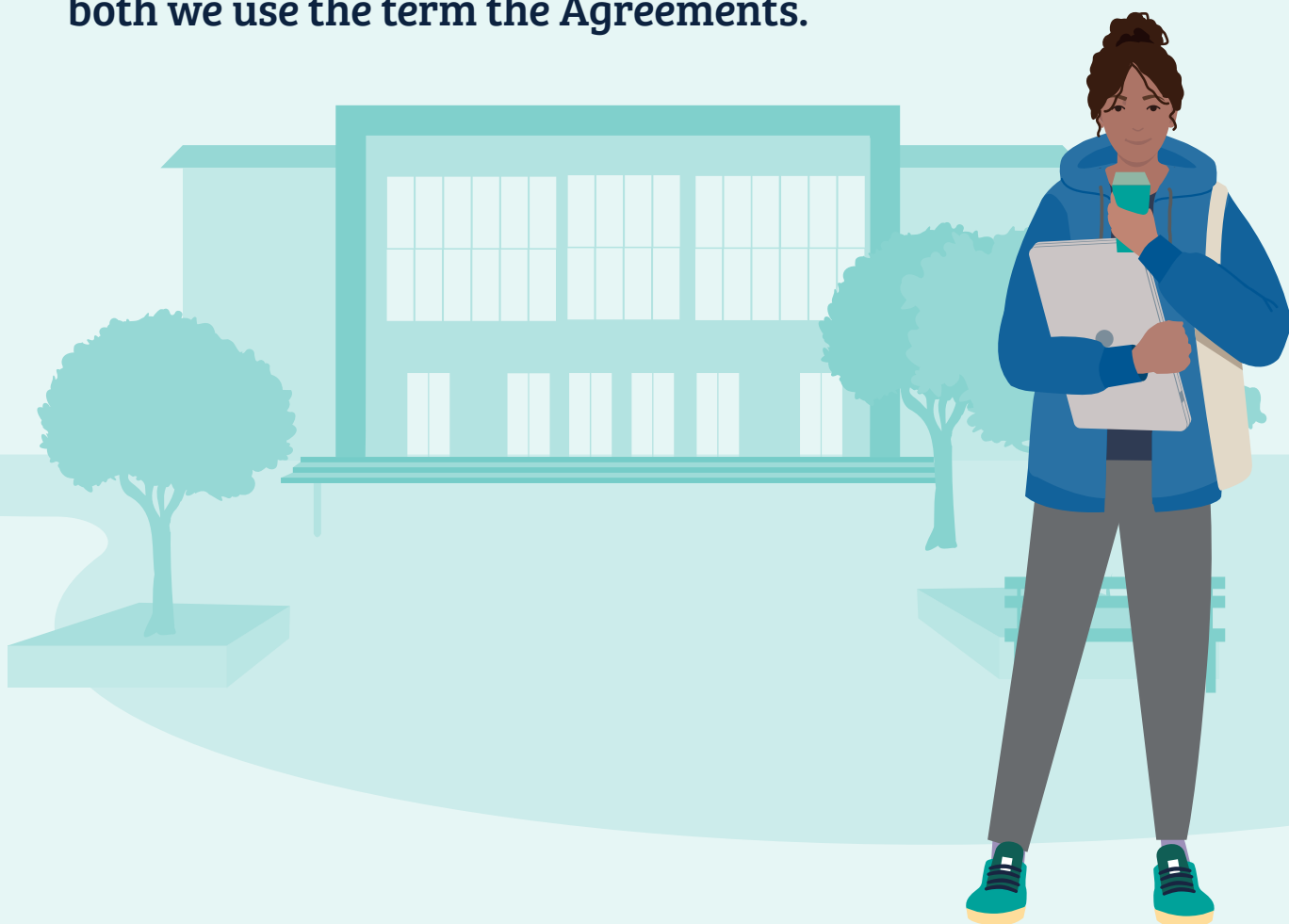
² Independent Monitoring Authority Regulations 2020 (gibraltarlaws.gov.gi)

³ See paragraph 31(8), (9) and (11) of Schedule 2 to the Act and regulation 14(8) and (9) of the Gibraltar Regulations.

2. The role of IMA

We are an independent body that makes sure the rights of EU and EEA EFTA citizens and their family members living in the UK and Gibraltar as at 31 December 2020 are upheld following Brexit.

We monitor UK public bodies⁴ to make sure they adequately and effectively implement the rights provided for by the Withdrawal Agreement and Part 2 of the EEA EFTA Separation Agreement. For the purpose of this report when we refer to both we use the term the Agreements.



4 Public bodies include all parts of government and anybody which exercises functions of a public nature. It would therefore include UK Government departments, the Northern Ireland Executive, the Scottish Government, the Welsh Government and the Government of Gibraltar. It also includes local government.

The IMA has two broad duties – to monitor and to promote

Monitoring

When we monitor, we assess whether citizens entitled to rights under the Agreements are able to retain and access those rights in practice in the UK and Gibraltar.



This includes examining how effectively the laws, policies and actions of governments and other public bodies – including local authorities and the NHS – operate for the benefit of citizens covered by the Agreements.

Our monitoring activity includes:

Citizens

- Receiving complaints from citizens who consider they are unable to access their rights and assessing whether these indicate systemic issues requiring further investigation or action.
- Working with stakeholders and attending citizen events to gather information directly from citizens, as well as third-party evidence on citizens' experiences of accessing rights.

Citizen stakeholders

- Gathering and using information from third sector organisations about citizens' experiences of accessing rights under the Agreements.
- Using data gathered by the IMA to understand citizens' experiences and inform action.
- Undertaking joint reviews and research with citizens' representative organisations and universities.

Public bodies

- Identifying and assessing laws, guidance and decisions issued by the UK Government, devolved governments and public bodies to determine their compatibility with the Agreements.
- Examining official statistics to understand how rights are being upheld in practice.
- Requesting data from public bodies, ombudsmen and regulators to build an evidence base on rights implementation.
- Undertaking inquiries or compliance activity into the decisions or actions of public bodies and concluding on their compatibility with the Agreements.
- Carrying out assurance reviews with public bodies to assess how rights are being upheld in specific policy areas and, where they are not, why.

Statutory stakeholders

- Identifying potential or actual issues raised by legislatures, including parliamentary committees, relating to citizens' access to rights under the Agreements.
- Assessing how the work of other regulators and oversight bodies impacts the IMA's work.

Other sources

- Using court reports to identify litigation relating to potential non-compliance with the Agreements and monitoring public bodies' responses.
- Reviewing media reporting to identify potential issues affecting the upholding of citizens' rights.
- Using information from the EU Delegation and EU embassies about the citizens they represent as well as receiving information from the Joint and Specialised Committees.
- Analysing evidence from the annual survey and returns from governments on measures taken to comply with the Agreements, to inform reporting to the Joint Committee and Specialised Committee.

Promoting

The IMA has a duty to take action to help ensure that citizens with rights under the Agreements are able to access those rights.

Where monitoring activity identifies a problem, we may take action to resolve it through our promotion duty.



This does not always involve direct enforcement; action may instead focus on encouraging others to act to remedy issues. This can include raising matters with public bodies, regulators or parliamentary scrutiny committees, or making issues public to prompt corrective action. It may involve empowering citizens to pursue their rights in individual cases.

Our promotion duty extends to highlighting good practice where this supports wider improvements in access to rights, and to supporting public bodies by promoting recommendations and commenting on assurance and engagement activity.

Promotion activity includes:

Empowerment – citizens

- Providing information to help citizens understand which rights they should be able to access and when.
- Signposting citizens to other agencies, including referring matters to other regulators where appropriate.
- Providing information and evidence to elected representatives on issues affecting their constituents.
- Using the citizens' panel to test and improve the information we provide.

Empowerment – public bodies

- Publishing information on:
 - IMA activity that highlights best practice, to support learning across public bodies.
 - Incompatible actions by public bodies or private entities, to clarify what should not happen.
 - Citizens' rights, and when and how those rights should be accessed.
- Providing training and guidance to support lawful, rights-compliant decision-making.
- Highlighting external research and undertaking our own research to build understanding of how rights can be upheld.

Empowerment – other stakeholders

- Providing information, guidance or training to organisations that advise or support citizens.
- Publishing details of our work to clarify both what the IMA does and does not do.
- Participating in public webinars to explain citizens' rights.
- Giving evidence to government committees on how public bodies are upholding rights, or where this is not happening.
- Engaging with inquiries and calls for evidence to raise concerns about access to rights.
- Publishing statutory reports explaining citizens' rights and public authorities' compliance.
- Maintaining a public issues log to provide transparency on issues under investigation and their resolution.
- Intervening in legal proceedings to clarify issues relating to the Agreements

Enforcement

Our enforcement activity includes:

- Issuing recommendations following an inquiry.
- Requiring public bodies to remedy breaches identified through compliance cases or post-litigation monitoring.
- Bringing litigation against public bodies for failure to comply with the Agreements.
- Intervening in legal proceedings relating to alleged non-compliance with the Agreements.
- Supporting the enforcement activity of bodies such as ombudsmen where this positively impacts citizens' rights.

Detailed information on the IMA's powers can be found on our website including our [operational guidance](#).



Our Powers

The IMA's powers are framed by the rights set out in the Agreements. These rights are extensive and were designed to broadly provide EU and EEA EFTA citizens and their family members the same entitlements to work, study and access public services and benefits as they enjoyed before the UK left the EU.

The citizens covered by the Agreements are those from the 27 EU Member States as well as Iceland, Liechtenstein and Norway, along with their family members.

These rights include:

Residency: the right to live in the UK or Gibraltar – and the right to enter and exit the UK

The right to work: the right to work, including self-employed work and the right to continue to be a frontier worker.

Mutual recognition of professional qualifications: the right for qualifications which have already been recognised before 31 December 2020 (or in the process of being recognised at that time) to continue to be recognised in the UK.

Co-ordination of social security system: individuals who have lived in both the UK and the EU before the end of the transition period can generally continue to be able to access pensions, benefits and other forms of social security.

Equal treatment and non-discrimination: within scope of the rights set out above, EU and EEA EFTA citizens and their family members are entitled to be treated equally with UK citizens and not to be discriminated against on the grounds of their nationality. This includes ensuring access to certain public services such as education, healthcare and certain benefits.

Detailed information on the IMA's powers can be found on our website including our [Annual Plan](#) for 2025-26 and operational guidance.

In summary, **the IMA's specific powers** are as follows:

2.1 Our power to receive complaints

We can receive complaints from citizens who claim to have a right under the Agreements⁵. Complainants may report where the governments of the UK or Gibraltar have failed to comply with these Agreements, or a public body has acted or is proposing to act in a way that prevents someone from exercising the right in question.

The IMA will consider every complaint received and will tell the citizen who made the complaint if we will carry out an inquiry.

The issues raised by an individual complainant may not meet the threshold for carrying out an inquiry.



If we do not carry out an inquiry, we may inform the citizen about other ways of dealing with the complaint.

⁵ The IMA may receive a complaint from a person who claims to have a right provided under UK or Gibraltar law which corresponds to rights provided under the Agreements.

2. The role of IMA |

Our focus is on general or systemic failings in the actions or behaviours of public bodies and organisations that are impacting on the lives of citizens and their families. This is a key criterion we use to determine whether to carry out an inquiry.

Complaints, however, are just one of the ways we understand the experience of citizens and their family members. We collect and analyse information from a range of sources including some new initiatives launched in 2025 to give citizens other ways of contacting us and to help us understand any issues they may be facing.

This year we introduced Your Story, a way for citizens to tell us concerns without having to make a formal complaint; there is more information about this at section 2.1.1. We also launched a dedicated email address for people to tell us about problems they were experiencing while travelling.

While reported issues may not indicate a general or systemic failing and therefore would not of itself trigger the threshold for the carrying out an inquiry, we maintain information received and review the data and intelligence as it may help form part of a wider set of insight gathered over time which could indicate a systemic failing.

The IMA received 92 complaints in 2025. While this is lower than previous years, complaints continue to be key to helping us to understand the experiences of citizens especially as the further we move from Brexit the issues seem to becoming more complex.

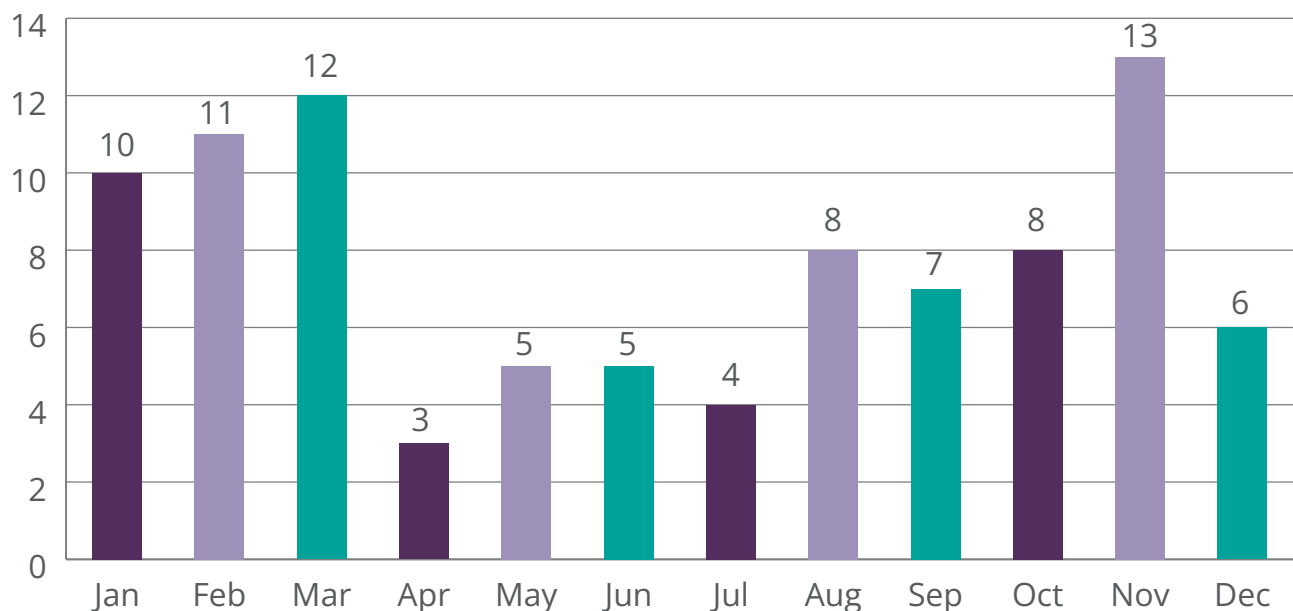
Out of the complaints received within the IMA's remit, 80% relate to new or ongoing issues being considered by the IMA. Information about our ongoing work is published on our Issues Log.

Thirteen complaints within the IMA's remit, resulted in no further action. However, all complaints received give valuable insight into citizens experiences in the UK and Gibraltar.

Over the next few pages, the types of complaints we received in 2025 are detailed, including the rights affected, the public bodies involved, and the nationalities of those who submitted complaints. The data relates to all complaints, both within and not within our remit.

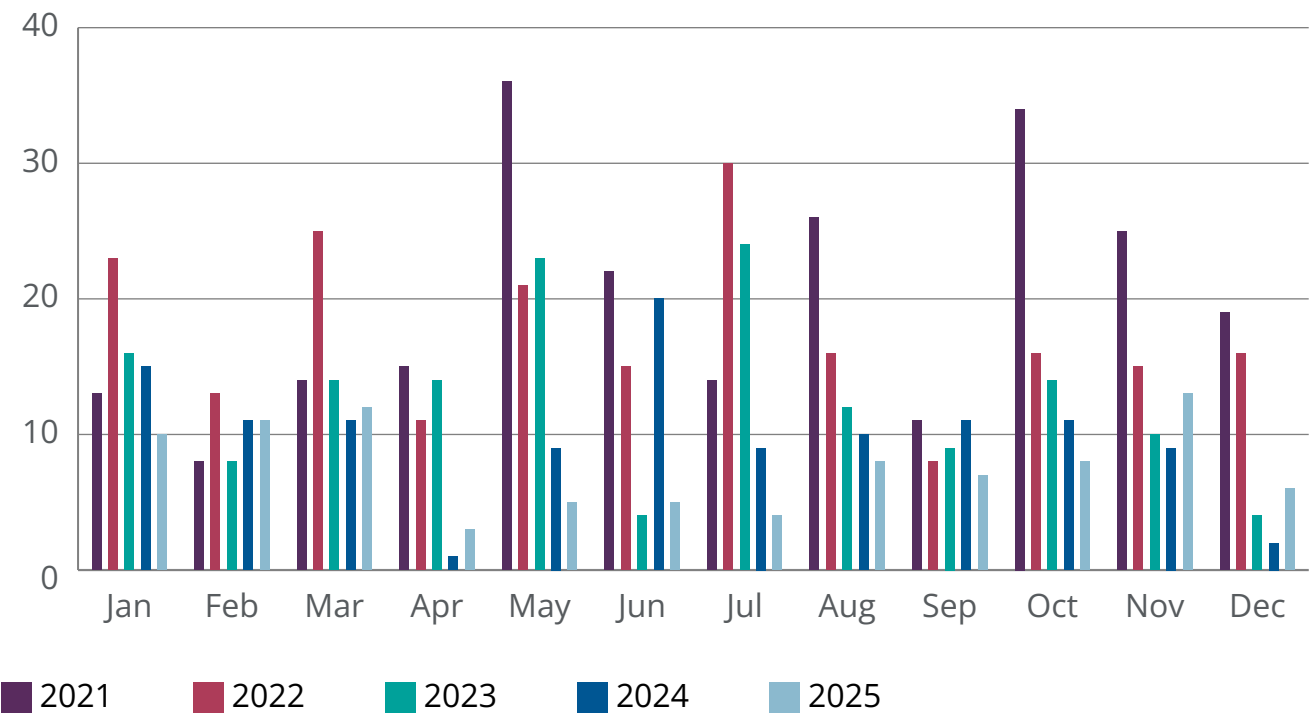
Complaints may be assessed as out of scope where they do not relate to rights protected by the Citizens' Rights Agreements, do not concern the actions of a relevant public authority in the UK or Gibraltar, fall outside the scope of the Agreements, or otherwise relate to a public authority that is outside of the IMA's remit.

Graph 1: Complaints received in 2025



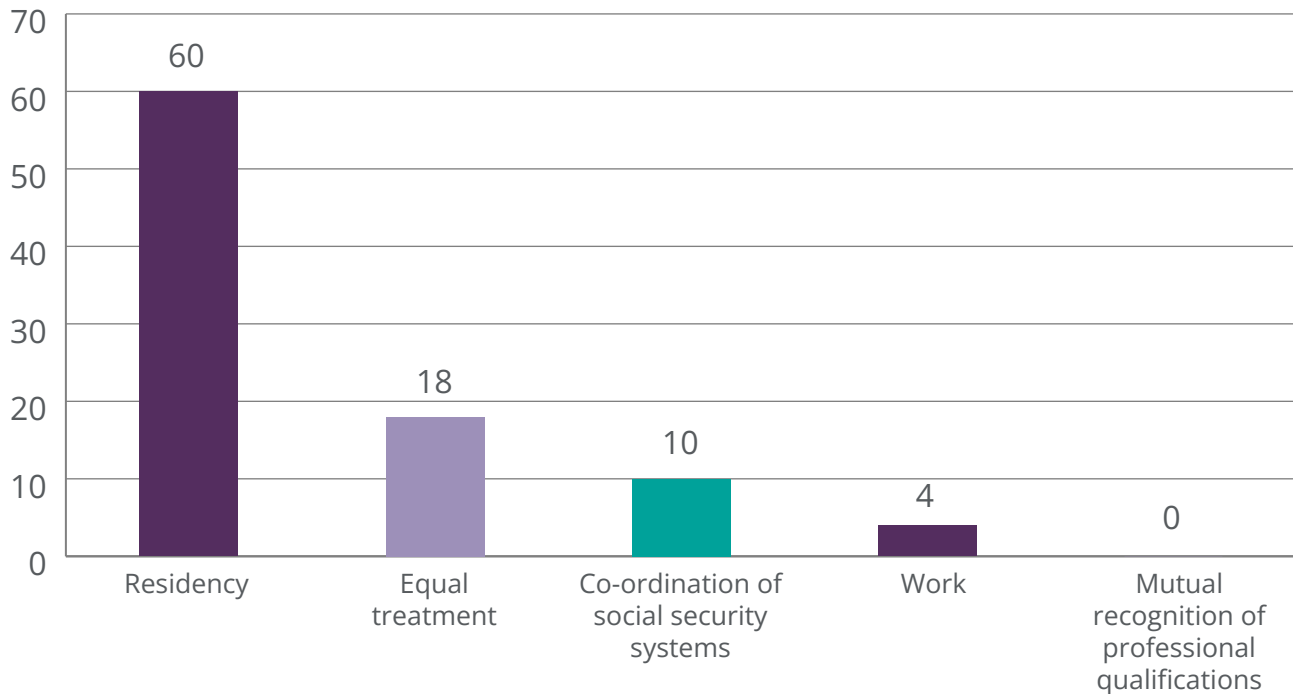
The IMA received 92 complaints from 1 January to 31 December 2025. As graph 1 (above) shows we received the most complaints in November. Forty-six per cent of the complaints received in November were in relation to the Home Office, whilst 31% were in relation to His Majesty's Government of Gibraltar. To note that immigration is a reserved matter, so the HO is likely to receive the higher proportion of complaints.

Graph 2: Complaints received in 2025 vs. 2024, 2023, 2022 and 2021



Graph 2 (above) shows how many complaints have been received in each year the IMA has been in operation. The top three months on average are May, October and July. The lowest months on average are April, September and December.

Graph 3: Complaints received by affected right



Graph 3 (above) shows how many complaints have been received in relation to each right. The largest group of complaints received continue to relate to the right to reside, followed by equal treatment. No complaints were received in relation to mutual recognition of professional qualifications. This graph and the analysis below are about all complaints received by the IMA whether in or out of scope of the IMA's remit.

Residency – This means the right to live in the UK or Gibraltar and includes the right to enter and exit the UK.



The complaints are mainly connected in some way to the EUSS, run by the Home Office.

The issues raised in these types of complaints include:

- Citizens experiencing long wait times for their EUSS applications, administrative reviews and appeals.
- Difficulties entering the UK, both at point of boarding with carriers and at the UK Border. This includes travel with Identity cards and those with pending EUSS applications.
- Difficulties for holders of pre-settled status when applying for settled status.
- Difficulties updating UKVI profiles with new identity documents and personal information.

The most complaints about residency were received from complainants marking their nationality as from Pakistan and Poland.

Equal Treatment – EU and EEA EFTA citizens and their family members must be treated the same as UK and Gibraltarian citizens when it comes to accessing certain public services and some benefits.



The issues raised in these complaints include access to housing and access to the UK Government Gateway online service.

The most complaints about equal treatment were received from complainants marking their nationality as Polish and Portuguese.

Co-ordination of Social Security – This means that individuals who have lived in both the UK and the EU before the end of the transition period can continue to access pensions, benefits, and other forms of social security. The transition period was the 11-month grace period agreed by the UK and the EU following the UK's exit on 31 January 2020.



The issues raised in these complaints include difficulties applying for pensions, delays in receiving proof of national insurance contributions, and changes to the Winter Fuel payment.

The most complaints about co-ordination of social security were received from complainants marking their nationality as Bulgarian, Italian and Estonian.

Work – This means the right to work, including self-employed work and the right to continue to be a frontier worker. Frontier workers are citizens who are employed or self-employed in the UK or Gibraltar but live elsewhere.

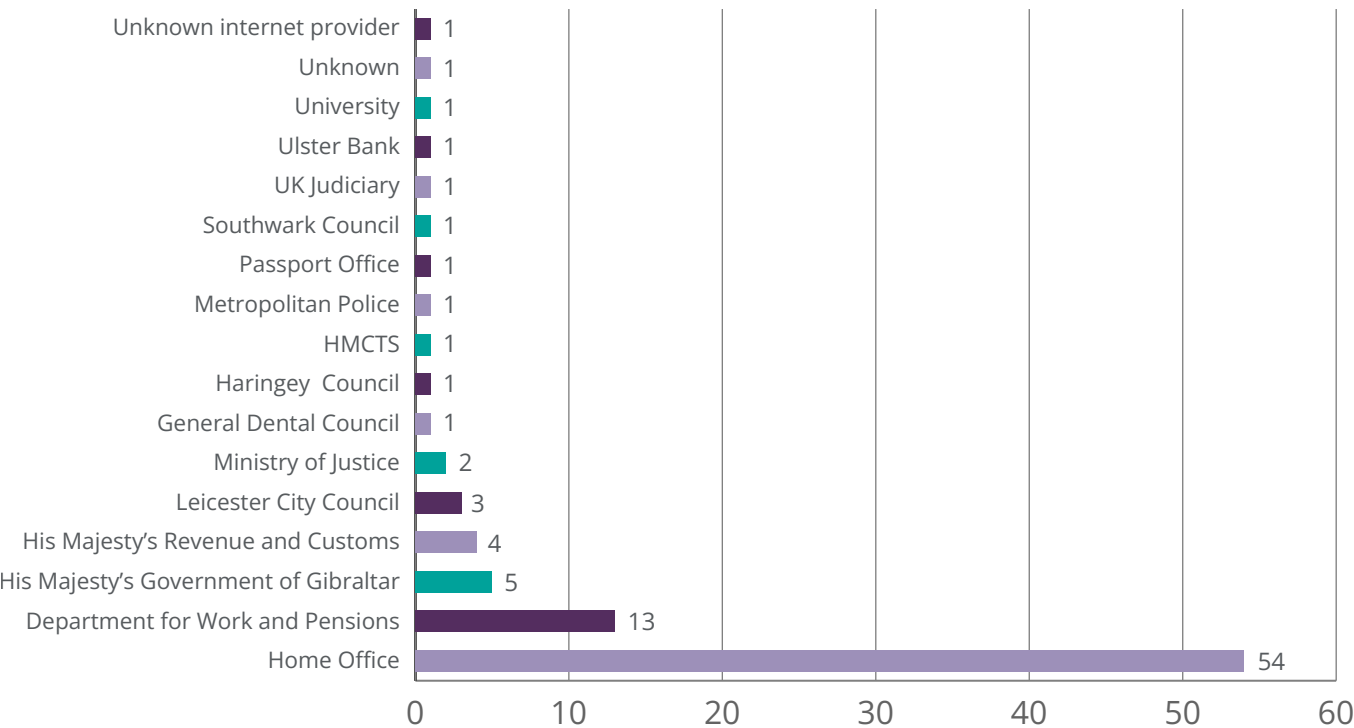


Mutual recognition of professional qualifications – This means the right for qualifications which have already been recognised before 31 December 2020 (or were in the process of being recognised at that time), to continue to be recognised in the UK.



No complaints were received in relation to this right.

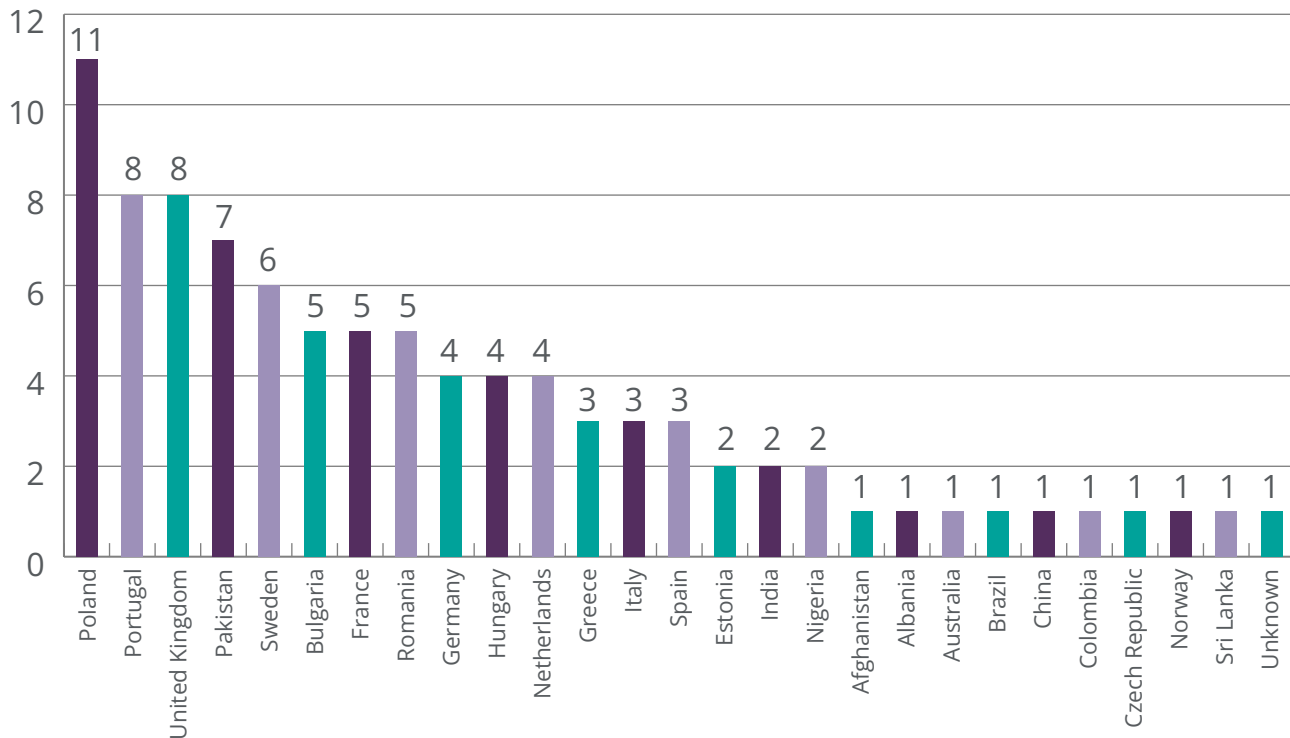
Graph 4: Public authorities named in complaints to the IMA in 2025



Graph 4 (above) demonstrates that most of the complaints reported to the IMA relate to the Home Office, followed by Department for Work and Pensions. The unknown figures reflect complaints received where there was no UK or Gibraltar public authority, or organisation identified.

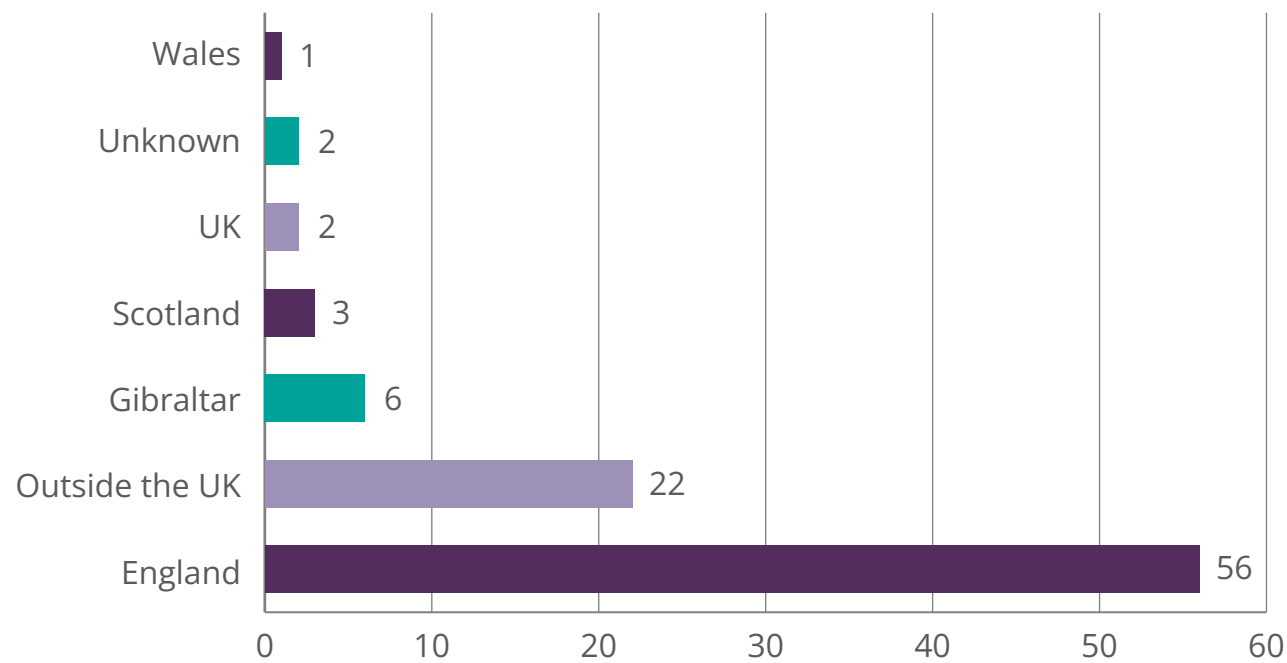
The most complaints about the Home Office were received from citizens marking their nationality as Polish followed by Pakistani and Portuguese. The most complaints about Department for Work and Pensions were from UK citizens followed by Portuguese citizens.

Graph 5: Nationalities of complainants in 2025



Graph 5 (above) shows the nationalities of those who made complaints to the IMA in 2025. We continue to receive complaints from a diverse range of nationalities. Where we refer to UK nationals this may include dual nationals. Additionally, unknown reflects those citizens who have not declared their nationality. Portuguese citizens' complaints were mostly about residency followed by equal treatment. UK citizens' complaints were mostly about residency.

Graph 6: Where complainants reside



Graph 6 (above) shows where citizens complaining to the IMA in 2025 reside. Most complainants reside in England; this mirrors all previous years. UK refers to citizens who did not identify which area of the UK they are residing. Those living outside the UK, include complainants who are joining relevant family members already residing in the UK. The most complained about right across each UK region and Gibraltar was residency, with co-ordination of social security being the most complained about right for those living outside of the UK.

2.2 Our power to conduct inquiries

Our powers to conduct inquiries are set out in paragraph 25 of Schedule 2 to the Act⁶.

We may decide to conduct an inquiry in one of three situations:

- (i) Following a request from the Secretary of State, the Northern Ireland Executive, the Scottish Government, the Welsh Government, or the Government of Gibraltar.
- (ii) As a result of a complaint or series of complaints received.
- (iii) Of our own initiative.

The purpose of an IMA inquiry is to:

- decide whether the United Kingdom has failed to comply with the Agreements; or
- decide whether a relevant public body has acted or is proposing to act in a way that prevents a person exercising a relevant right (see definition in paragraph 41 of Schedule 2 to the Act); and
- to identify any recommendations for relevant public bodies, appropriate to promote the adequate and effective implementation of the Agreements.

When considering whether to carry out an inquiry we will consider the importance of addressing general or systemic failings. We may not carry out an inquiry in the situations in (ii) or (iii) above unless we have reasonable grounds to believe that the inquiry may conclude:

- i) that a failure to comply with the Agreements has occurred, or
- ii) that a public body has acted or is proposing to act in a way that prevents a person from exercising their rights under the Agreements.

⁶ The corresponding power in relation to Gibraltar is found in regulation 8 of the Gibraltar Regulations.

To inform this assessment we will carry out pre-inquiry investigations. In carrying out such investigations we may be able to resolve any issues in a more timely way than proceeding to full inquiry. Full details of how we undertake our assessments and investigations are outlined in our operational guidance.

We continued work on our inquiry into whether citizens are experiencing significant delays with their EUSS applications in 2025. [More details about this are detailed in section 4.2.](#)

We undertake compliance case investigations in relation to a number of issues which are [outlined in section 4.1.](#)

We undertake assurance investigations to assure ourselves that public bodies are doing what they should to uphold the rights of EU and EEA EFTA citizens.

In 2025 we continued work on an assurance review involving how the rights of future generations might be upheld. More information on this can be found in section 4.1 of this report.

2.3 Our power to take legal action

Our powers to take legal action are contained in paragraph 30 of Schedule 2 to the European Union (Withdrawal Agreement) Act 2020⁷. It provides that the IMA may:

- take legal action, or
- intervene in any legal proceedings.

In both cases, the IMA must be satisfied that it is appropriate to do so to promote the adequate and effective implementation or application of the Agreements.

While we are only able to take legal action by way of judicial review proceedings⁸, we can intervene in “any” legal proceedings. This includes not only public law actions brought against public bodies, but we may consider it is appropriate to join private causes of action to ensure that we are effectively performing our duties.

Our approach to the exercise of our litigation powers is detailed in our operational guidance. In 2025 we used our litigation powers in respect of six cases and further information about some of these are detailed in section four of this report.



⁷ The corresponding power in relation to Gibraltar is found in regulation 13 of the Gibraltar Regulations.

⁸ Applications to the supervisory jurisdiction of the Court of Session in the case of Scotland.

3. Measures Taken on the Implementation and Application of Part 2 of the Agreements

To provide details on the measures taken on the implementation and application of Part 2 of the Agreements, we have sought information from those responsible for implementing and applying the Agreements.



| 3. Measures Taken on the Implementation and Application of Part 2 of the Agreements

We requested the Government of Gibraltar, the Northern Ireland Executive, the Scottish Government, the UK Government and the Welsh Government to provide us with information relating to the:

- most relevant legislative instruments in place to implement Part 2 of the Agreements;
- most relevant legislative instruments implementing Part 2 of the Agreements that were adopted or amended in the last year;
- most relevant domestic jurisprudence from the last year;
- basic statistical data that show how the Agreements have been applied (for example for residence rights: estimated number of resident beneficiaries of the Agreements, number of applications made in the last year and in total and their outcome (residence granted/permanent residence granted/refused/invalid applications/pending cases)

To do this we provided a proforma for them to complete. This year there have been some amendments to these proformas following consultation with both the European Commission and the EFTA Surveillance Authority to ensure continued alignment with the forms they issue to their member states.

The amendments include the addition of questions around curtailment, information on how many EU citizens are living in the UK and Gibraltar and how many have left and the option for all governments to include any additional information on measures taken. Statistics on frontier workers and mutual recognition of qualification have, meanwhile, been removed.

The amendments have been made to reflect the changes to various procedures and policies since these reports began. However, for 2025 the Home Office was unable to provide curtailment data as the reporting requirements were newly introduced and relevant data was not available for the timeframe of this report.

Their returns are included at section six numbered Annexes 1-5.

4. Our Work and Exercise of our Functions

In general terms, in all the activities outlined in this section no differentiation is made between the rights provided under the Withdrawal Agreement and the EEA EFTA Separation Agreement. This is because potential breaches, pieces of legislation and litigation do not in general specifically differentiate between rights under the Withdrawal Agreement or EEA EFTA Separation Agreement.



To help citizens and stakeholders better understand our work, and to strengthen how we explain what we do and why it matters, the IMA has organised its activities into four themes. These reflect the main ways in which citizens experience barriers to their rights.

The four themes are:

Gaining Status

1

Some citizens face barriers to securing the immigration status to which they are entitled. This can happen because of how decisions are made by public bodies or because the rules and requirements are unclear. In some cases, this means people are unable to remain in the UK even though they have a right to do so.

Access to Support

2

Citizens can experience difficulties accessing the support and services to which they are entitled. These barriers may arise from domestic legislation or policy, how decisions are made, or from a lack of clear, accessible information about citizens' rights.

Travel

3

Citizens may encounter problems when travelling or returning to the UK. These issues can result from domestic legislation or policy, decision-making by officials, or unclear guidance about travel and re-entry requirements.

Future Generations

4

Citizens and their families may face challenges in the future because of how rights are set out in domestic legislation and policy, how decisions are made, or because information about rights for future generations is unclear.

In 2025 the IMA investigated cases related to all the themes with 20 different workstreams relating to a range of issues including joining family members, ID cards and automation.

To help illustrate what we mean by these themes and the impact of our work we have included a number of case studies at sections 4.1 – 4.5 below.

4.1 Case Studies

Gaining Status

Automation – In January 2025, the Home Office introduced an **automation process** so that eligible citizens with pre-settled status would move to settled status. This was to support its implementation of the judicial review ruling that those with pre-settled status who meet the relevant conditions automatically acquire permanent residence rights.

The IMA has welcomed automation which has the potential to reduce timescales and the onus on the citizen when converting from PSS to SS.

The IMA has been monitoring the roll out of automation, in particular in relation to stakeholder reports that some settled status holders had been incorrectly downgraded to pre-settled status. In order to help citizens understand the process and what should happen the IMA has produced **fact sheets and information** about the process.



EUSS Curtailment – The IMA was aware the Home Office was planning to commence removing (curtailing) the pre-settled status of citizens who cease to meet the requirements due to time spent outside the UK.

We were discussing the policy with the Home Office throughout 2025 with a view to actively monitor the implementation of curtailment to ensure citizens who meet ongoing residency conditions are able to **retain their status** to access their rights under the Agreements.

In 2026 we will be continuing to seek assurance from the Home Office about this policy. We emphasised that decisions must be proportionate and based on individual circumstances. We welcomed the Home Office's commitment to safeguards, including opportunities for citizens to provide further evidence. We continue to monitor this issue.

Migrant Victims of Domestic Abuse (MVDAC) – We are considering the impact of **changes** the Home Office made to domestic immigration routes. The Home Office has changed the rules so that a citizen who has been awarded EUSS pre-settled status is able to retain this status while applying for a Migrant Victims of Domestic Abuse (MVDAC) or an Appendix Victim of Domestic Abuse to the Immigration Rules (Appendix VDA).

A citizen's status will be able to be confirmed through additional checks however their digital status will only reflect the most recent grant of leave. This change, while welcomed, has led to further questions concerning its implementation and compatibility with the Agreements.

In 2026 we will be continuing to discuss these changes with the Home Office and are considering options for further work.

Access to Support

Gibraltar Housing – The IMA has continued engagement with the Government of Gibraltar due to concerns that their **Housing Allocation Scheme** excluded citizens who had not yet acquired permanent residence from eligibility to join the housing waiting list. The IMA considered that this was incompatible with the Agreements.

In January 2026 we welcomed the **publication** of a revised Housing Allocation Scheme following constructive engagement with His Majesty's Government of Gibraltar (HMGoG).

Gibraltar Residency Requirements – The Government of Gibraltar had announced the suspension of new residency applications for EU and EEA nationals. We approached the Government of Gibraltar to seek confirmation that rights covered under the Agreements will be unaffected. The **legislation** was assessed under the IMA's legislation monitoring activity and a concern was raised as it was not clear that those with rights under the Agreements may be captured by this suspension. We raised this concern with the Government of Gibraltar who, following the action of the IMA, made swift changes to immediately correct legislation to help clarify the rights of EU citizens in Gibraltar.



Travel

Certificate of Applications – The IMA **publicly announced its concerns** related to the advice issued to Certificate of Application holders not to travel and worked with the Home Office in order that they provided consistent messaging to CoA holders. A CoA is issued immediately after a valid EUSS application is submitted. It confirms that an application has been made and provides temporary protection of Withdrawal or Separation Agreement rights and can be used to demonstrate these to employers, landlords, local authorities and certain public services.

We raised significant concerns regarding the impact of the introduction of Electronic Travel Authorisation (ETA) on the ability of CoA holders to travel.

In early 2026 following our extensive engagement with the Home Office we welcomed **their changes to guidance** for citizens and their family members awaiting a decision on their EUSS application when travelling. These changes remove previous advice discouraging travel for Certificate of Application (CoA) holders.

Guidance – We continue to provide **guidance** for EU and EEA EFTA citizens and their family members on travel. This includes launching a dedicated webpage with information on eVisas, Electronic Travel Authorisations (ETA), and ID cards. We launched an email address specifically for citizens to let us know of issues they had experienced while travelling. This information is used to help us know what advice and guidance is most needed.



Future Generations

Looked after Children and Care Leavers – Following the UK's departure from the EU, all eligible citizens, including children, are required to apply to the EUSS to guarantee their rights to live, work, study, and access benefits in the UK. In October 2022, the IMA launched a review of local authorities across the UK to establish how they identify looked after children and care leavers who need to apply to the EUSS, and the procedures put in place to monitor those applications.

The IMA has been seeking assurance that local authorities are discharging their responsibilities with regards to making and supporting EUSS applications on behalf of all eligible looked after children, children in receipt of local authority care and support, and care leavers.

The IMA continued to conduct individual assurance reviews across England and Scotland to seek further assurance over a rolling programme of work. Local authorities in England that have had individual assurance reviews undertaken so far have sufficiently demonstrated they are discharging their duties in respect of these vulnerable cohorts, to ensure their rights are protected.

In 2026 we published our final reports on local authorities in England and Scotland. So far at the time of the conclusion of this report 1,300 additional eligible children and care leavers have been identified and supported to make applications to the EUSS scheme as a result of local authority enhancements. All reports are published on our [website](#).

Children's EUSS Applications Awareness campaign – The IMA produced **promotional material** to raise awareness of the need to make applications for newborn babies and young children. We know from stakeholders and from other forms of gathering evidence that many EU citizens do not realise that in certain circumstances they need to register children who are born in the UK under the EUSS.

We launched the communications campaign in late September with positive feedback received from stakeholders.

In 2026 we increased the reach of this campaign to more vulnerable users through engagement with support services and local communities.



4.2 Inquiry

Gaining Status – Delays Inquiry

Our [inquiry](#) into whether citizens are experiencing significant delays with their EU Settlement Scheme (EUSS) applications continued in 2025.

The IMA received information and complaints from people experiencing long wait times for a decision on their application. These included people waiting beyond estimated application processing times advised by the Home Office.

As part of the inquiry, the IMA investigated the impact these delays are having on people who have applied to the scheme and issued a call for evidence to citizens to let us know about their experiences.

We also spoke with the Home Office and examined their systems and processes in relation to this area as part of the inquiry.

The inquiry findings were published in March 2026, and we concluded that the Home Office had not always met its obligations under the Agreements to determine applications within a reasonable time. We also found that pausing certain applications without consideration of individual circumstances breached the Agreements.

The IMA made recommendations to reduce delays, improve transparency and strengthen communication with applicants, and continues to engage with the Home Office on implementation.

4.3 Legislation Monitoring

A key function of the IMA is to “keep under review the adequacy and effectiveness of the legislative framework which implements or otherwise deals with matters arising out of, or related to, Part 2 of the Agreements”.

The IMA refers to legislation across the UK and Gibraltar that engages the citizens’ rights provisions of the Agreements as “key legislation”. After a review of key legislation, a Legislation Monitoring Report is drafted which sets out what the legislation does and whether the IMA has identified any issues.

During 2025, the IMA looked at legislation across the UK and Gibraltar and identified 23 pieces of legislation that required a review.

Of these 23 pieces of legislation, 12 were classed as being key legislation which needed further scrutiny to determine whether citizens’ exercise of their rights under the Agreements were affected. 3 out of the 12 reports this year concerned Gibraltar which was an increase in previous years. Our Reports published on our website can be found [here](#).

The IMA continues to liaise with public authorities throughout our legislation monitoring work, including prior to when reports are published, to allow for factual accuracy checking, in the spirit of a no surprises approach. It also provides an early opportunity for any concerns to be addressed and reflected in the IMA’s report.

We continue to encourage public authorities to share legislation with the IMA as it is being drafted so we can provide comments if there are any compliance issues regarding the Agreements. This is to try to avoid any potential problems for citizens before the legislation is made by the relevant legislature.

Legislation Monitoring Case Studies

Gaining Status – Border Security, Asylum and Immigration (BSAI)

Act 2025 – We had raised longstanding concerns about uncertainty over whether individuals granted status under the EUSS also held rights under the Agreements. It highlighted a mismatch between EUSS requirements – proof of residence by 31 December 2020 – and the Agreements’ requirement to have been exercising EU free movement rights on that date. The IMA warned that requiring citizens to re-evidence this over time would be increasingly difficult and could have significant consequences.

Following engagement with the UK Government and the European Commission, section 45 of the BSAI Act 2025 came into force on 2 December 2025. This confirms that most citizens, and their family members, with EUSS status are to be treated as holding rights under the Agreements, regardless of whether they were exercising free movement rights on 31 December 2020.

The IMA has been monitoring the guidance changes that were required following the **BSAI Act** coming into effect to ensure the necessary amendments were made. This included changes to the Ministry of Housing Communities and Local Government guidance (MHCLG), the Homelessness Code of Guidance and DWP caseworker guidance.

Gaining Status – Immigration Rules – The IMA influenced changes to the **Immigration Rules on absences** for pre-settled status by highlighting that strict continuous residence requirements could unfairly prevent eligible individuals from progressing to settled status.

Following engagement with the Home Office, the rules were amended to allow individuals to qualify based on having spent 30 months in the UK over a five-year period, better reflecting real-world patterns of residence and reducing the risk of people losing their rights.

4.4 Litigation

The IMA intervened in five cases during 2025 while another case in which we intervened in 2024 continued into 2025. Consistent with our approach to publication of our litigation activities, we have published key documents filed within these cases on our [website](#).

Intervention Case Studies

Some examples of the legal intervention undertaken in 2025 are:

Access to Support – Fertre v Vale of the White Horse District Council (and others)

The IMA continued to be involved with the Court of Appeal case of **[Fertre v Vale of the White Horse District Council and others](#)**, having previously intervened in the High Court proceedings.

The case considered specifically whether citizens with pre-settled status are entitled to access to housing assistance on the same basis as a UK national, but is concerned more widely with the broader issue of whether a grant of pre-settled status means that an individual is within scope of the Withdrawal Agreement and able to enjoy all the rights provided by Part 2 (citizen's rights) so long as they continue to meet the conditions of the grant of status.

Mrs Fertre, a French national, came to the UK on 4 November 2020 and was granted pre-settled status on 18 November 2020.

In October 2021 she applied to her local council for housing assistance but was refused. One of the reasons for the refusal was that her pre-settled status of itself was insufficient to qualify as a person eligible for such support. To be eligible under the relevant legislation she needed to have met the relevant conditions (e.g. be a worker, self-employed, have a permanent right to reside etc.).

Mrs Fertre argued that having been granted pre-settled status she is within scope of the Withdrawal Agreement and relying on the right to equal treatment she should be able to access housing support on the same basis as a UK national.

This case raises important questions regarding interpretation of the Withdrawal Agreement and is one of a number of cases on this issue in which the IMA has intervened. The IMA's position is that being in scope of the Withdrawal Agreement is not sufficient of itself to enable an individual with PSS to enjoy all rights. In order to enjoy rights under the Agreements, a PSS holder would need to meet the requirements for that right. In the case of the equal treatment provisions would include being a worker, self-employed and having a permanent right to reside.

The case was listed for hearing in May 2025. On 31 July 2025, judgment was handed down in this appeal. The Court of Appeal upheld the High Court's decision, agreeing with the IMA, that someone with a grant of pre-settled status could not benefit from the right under Article 23 of the Withdrawal Agreement, to equal treatment unless they were meeting the conditions for that right.

These conditions include a citizen being a worker, self-employed, a student, a jobseeker or being a family member of someone meeting these conditions at the time they seek to rely on Article 23. The issues relating to discrimination were not determined by the court as this was not necessary in light of its findings in respect of Article 23. The Court declined to make a reference to the Court of Justice of the European Union (CJEU).

Gaining Status – R (BZ) v Secretary of State to the Home Department (SSHD)

The **IMA's intervention** in these judicial review proceedings, referred to the CJEU for a preliminary ruling, are significant because they raise a novel and unresolved question concerning the interpretation and application of Article 17(2) of the Withdrawal Agreement, a provision with no equivalent in pre-Brexit EU law. The cases focus on whether a non-EU national who was a dependent family member of an EU citizen before 31 December 2020, but not resident in the UK by that date, must remain dependent after joining their sponsor in order to continue to benefit from rights under the Withdrawal Agreement, despite having been granted pre-settled status under the EU Settlement Scheme.

The IMA is intervening because any ruling of the CJEU will be binding on both the UK and the EU and will directly shape how citizens' rights must be monitored and promoted in the future, including the IMA's ongoing compliance work with the DWP and across the devolved governments. Securing clarity from the CJEU will provide legal certainty to future generations, particularly children and dependent parents if they have ceased dependency or cease dependency in the future. The IMA hopes that these cases provide the opportunity to provide clarity on the legal position and govern the way tribunals and courts approach such questions, making it easier for judges to dispose of cases on this issue in the future by reference to any guidance provided by the CJEU in these cases.

Gaining Status – GN v The Secretary of State for Work and Pensions

The Upper Tribunal (Immigration and Asylum Chamber) invited the IMA to **intervene** in this appeal on the basis that it raises issues concerning citizens' rights. Specifically, the appeal raises questions about the scope of Part 2 of the Withdrawal Agreement and the rights of individuals who have a pending valid EUSS application evidenced by a Certificate of Application. The AIRE Centre represent the Appellant. The3million have also been granted permission to intervene.

A hearing date has not been set by the Upper Tribunal.



4.5 Post-litigation Monitoring

We continued to monitor how litigation is being implemented by public authorities in relation to a number of judgments.

Post-litigation Monitoring Case Study

Access to Support – AT – The IMA intervened in proceedings concerning Secretary of State for Work & Pensions v AT.

The concern was whether SSWP had breached the rights of an EU citizen (AT) by refusing her claim for Universal Credit. AT successfully argued throughout the courts, including in the Upper Tribunal and Court of Appeal, that in refusing her Universal Credit, the SSWP had breached her Agreement rights.

The courts consistently found that the protection in the Charter of Fundamental Rights to be able to live in dignified conditions applies under the Agreements in certain circumstances. Our view was that AT was able to rely on her Charter right to live in dignified conditions and therefore was entitled to an assessment of whether a refusal of her claim for Universal Credit would lead to her living in undignified conditions.

The case raises important questions regarding the meaning of the Agreements and in particular as to the extent to which the Charter of Fundamental Rights of the European Union has an effect. It highlights how the incorrect implementation of the Agreements can have significant impact on the most vulnerable people in society.

After engagement with the IMA, the DWP has changed their caseworker guidance to include third country family members of citizens with pre-settled status so that they are also assessed on an individual basis to check that a refusal of universal credit would not lead to them living in undignified conditions. We are working to clarify DWP's position on claims made prior to the change in caseworker guidance and we continue to engage with DWP on how they are complying with the judgment within the updated caseworker guidance.

The IMA continues to look at the impact of the AT judgment in other areas relating to citizens' rights to homelessness assistance. We welcomed the issuing of new guidance to local authorities from the Ministry for Housing Communities and Local Government (MHCLG) about how to assess whether citizens with rights under the Agreements can receive homelessness support.

It now includes guidance when the EU Charter of Fundamental Rights applies in homelessness cases and suggestions for how local authorities should assess a person's Charter rights.

We have **published a public statement**, and we are currently working with MHCLG to address our ongoing concerns that the guidance does not fully implement the AT judgment and excludes certain vulnerable groups to whom we think the Charter applies.

5. Communications and Engagement

In 2025 the IMA has increased its focus on how it engages and communicates in order to deliver its statutory duties to monitor and promote citizens' rights.



There has been a deliberate shift in how communications are designed and delivered externally in order to better monitor and promote citizens' rights and ensure more people are aware of what those rights are and the remit of the IMA.

In order to do this the IMA has diversified its communications outputs, moving beyond traditional reporting and statements towards a broader mix of citizen-facing content. This includes more targeted guidance materials, thematic resources and new formats, enabling the IMA to explain complex issues in clearer and more practical terms.

This has been complemented by an increase in citizen-centred communications, designed to provide clear advice and guidance on what significant policy changes mean, helping to reposition how the IMA communicates externally.

Dedicated website content has been developed to help individuals understand complex areas such as travel requirements, providing clear and accessible information to support decision-making. This has been accompanied by the publication of the first [Insight Magazine](#), focused on travel, which brought together key information in a single, user-friendly resource to help citizens understand their entitlements and travel with confidence.

The IMA has also improved the accessibility of its communications, expanding the availability of translated materials and enhancing digital accessibility. The introduction of a fully translatable website has significantly improved users' ability to access information in their preferred language, supporting inclusivity and enabling key messages to reach a broader audience.

Our stakeholder engagement activity has been deliberately focused on supporting evidence gathering, informing scrutiny, and strengthening confidence in the IMA's independence and effectiveness.

Over the past year, our stakeholder engagement initiatives have significantly expanded, both in reach and in the quality of information gathered to guide operational decisions. This information plays a vital role in the IMA's work, complementing complaints, casework and data analysis.

The IMA has continued to engage regularly with citizen support groups through direct engagement and established forums, including the EUSS Alliance and the EU Citizens' Rights Forum. Collaboration with the EU Delegation has extended engagement with the European community in the UK, through activity such as participation in the Citizens' Gathering event in Manchester and ongoing monitoring network meetings.

The survey of citizens' experiences remains central to the IMA's work. This year, citizens' panels and targeted engagement amplified the voices of individuals and groups experiencing barriers to accessing their rights, particularly those from more vulnerable or underrepresented cohorts. This insight has informed prioritisation across monitoring and promotional activity.

5. Communications and Engagement |

As a result, the IMA has further strengthened the people-centred aspect of its communications with our refreshed citizens' panel which now has almost 80 members continuing to be a valuable source of both information and challenge.

There is an increased emphasis on using citizens' voices directly. In particular, the ["I'MA" video series](#), developed to mark five-years of the organisation, used personal stories to illustrate the real-world impact of citizens' rights and was well received across social media channels. This approach represents a growing focus on narrative-led communications to complement more formal outputs.

The IMA has extended its engagement at diplomatic and governmental levels. Presentations to Embassies and Ambassadors have supported promotion of the IMA's work and provided valuable insight into citizens' experiences. Engagement with departments across devolved administrations has reinforced awareness of the Agreements and the IMA's statutory role. Collaboration with other statutory bodies, including ICIBI and Ombudsman services, has strengthened coordination, reduced duplication and improved signposting, supported by updates to the website and clearer information for users on where to seek help.

Targeted communications have been developed in response to identified issues, including resources promoting the EUSS to [new parents and parents of children](#) already living in the UK. These were informed by stakeholder engagement and survey findings highlighting misunderstandings around residency status.

Focused engagement activity in Gibraltar during September 2025 further strengthened the stakeholder evidence-base, while supporting promotional objectives. Citizen drop-in events, new partnerships with organisations such as Citizens Advice Gibraltar and engagement with senior officials provided both insight and visibility. The [resulting public statement](#) and ongoing collaboration have informed wider operational activity.

Your Story

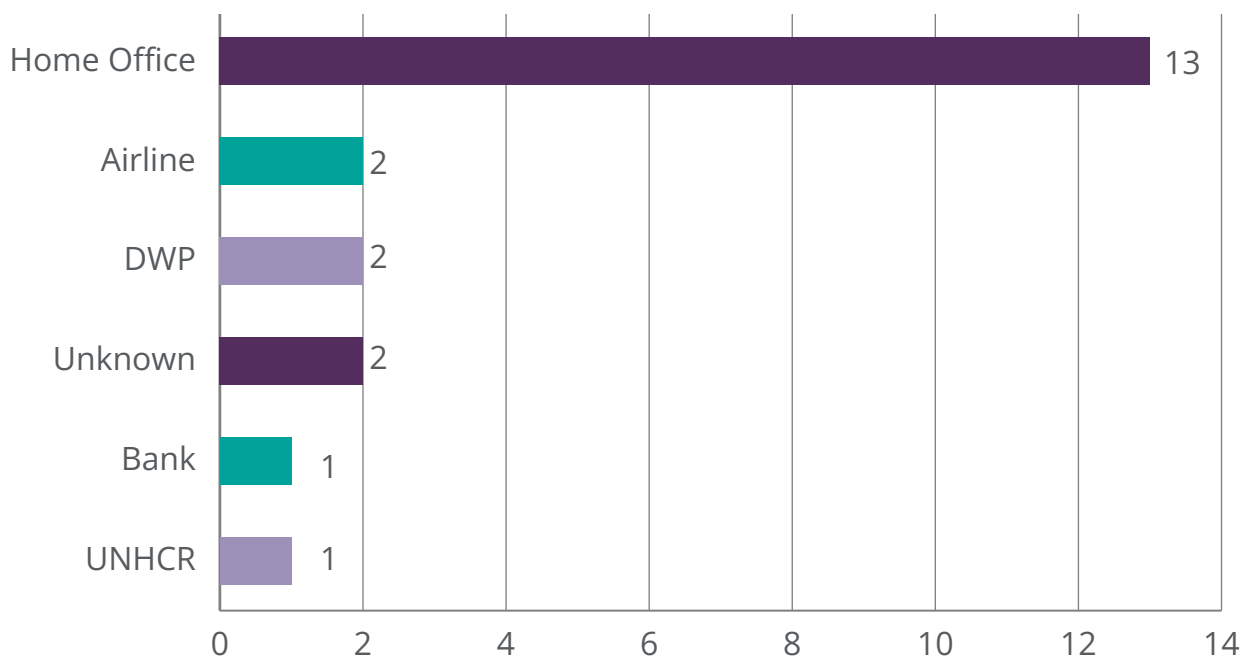
In March 2025 we launched [Your Story](#), a way for citizens to share their experiences anonymously with us. Hosted on our website Your Story enables citizens to raise concerns or issues without using the formal complaints portal, recognising that the requirement to provide a name can be a barrier for some.

So far, we have received 21 Your Story submissions which help us to get a better understanding of the issues and challenges facing EU citizens and their family members. Below we detail the types of Your Story we received, including the public bodies involved, and the nationalities of those who submitted complaints.



Types of Your Story submitted

Graph 7: Public authorities and organisations which are the subject of Your Story submissions



The majority of issues reported relate to the Home Office, see **Graph 7 (above)**. These include long wait times for outcomes of EUSS applications, issues with the UKVI View and Prove service not showing the correct status or information and general concern about how evidence of residence and absences will be considered by the Home Office when applying for settled status. There were a number of other issues shared where people had difficulties boarding aircraft when they hold EUSS status that links to the Home Office.

Issues reported involving the Department for Work and Pensions (DWP) included delays in processing benefit applications and difficulties navigating and understanding the benefit system.

This mirrors complaints received about citizens' rights in 2024 when the majority of issues raised related to the Home Office, followed by DWP.

One Your Story did not identify a public authority but shared an experience of a change in attitude and hostility towards them as an EU citizen in their local area.

A minority of the issues reported were not within the IMA's remit, such as mortgage charges from a bank, applying for the new ETA for visiting family members and issues in Bangladesh with the United Nations High Commissioner for Refugees (UNHCR).

Nationalities of Your Story citizens

We have received Your Story submissions from a diverse range of nationalities. Polish nationals have submitted the most, followed by Bulgarian and German nationals.

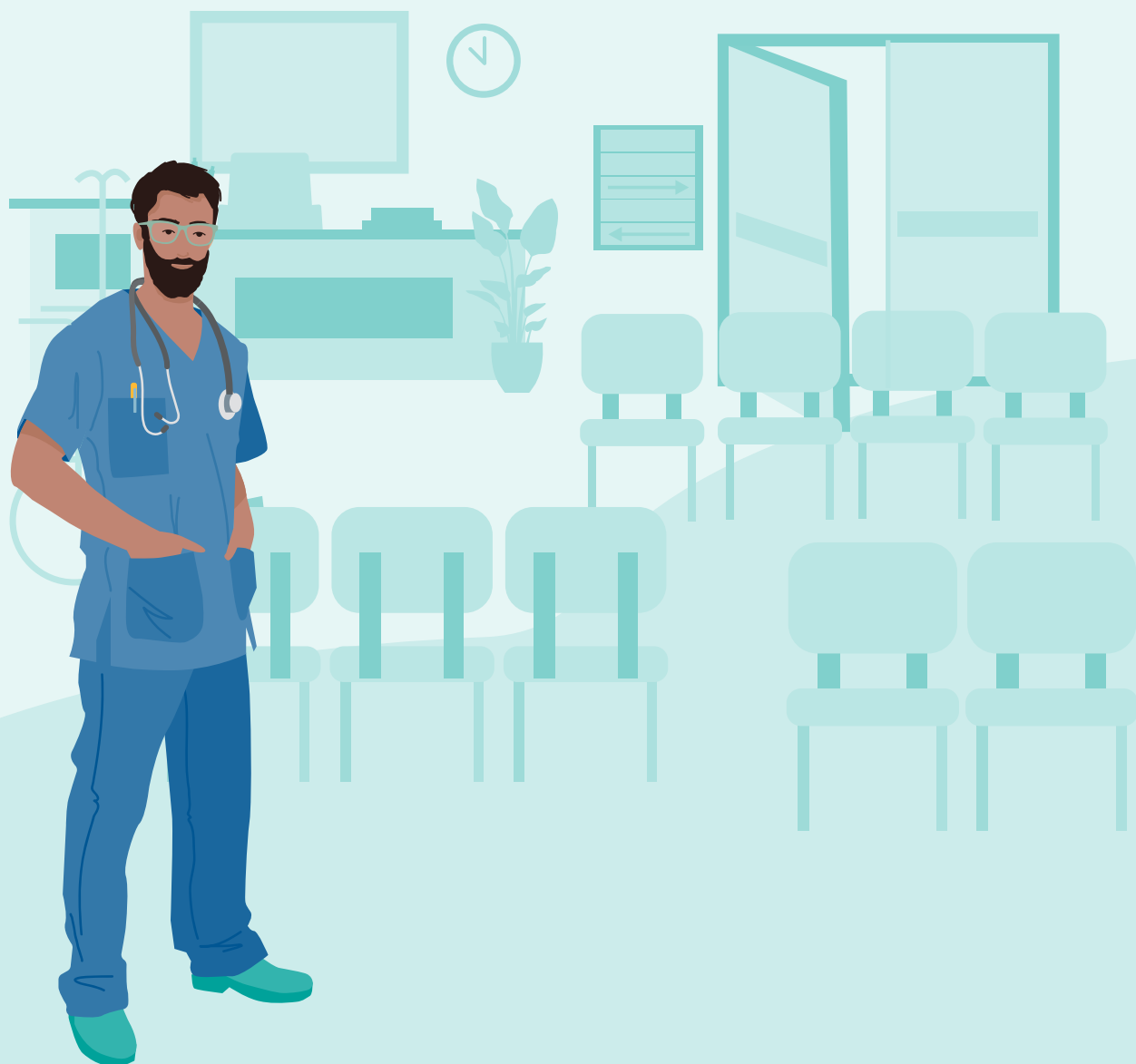
In comparison, the top three nationalities who have made EUSS applications as of 30 June 2025⁹, are Romanian, Polish and Italian. The majority of people who completed a Your Story had settled status at just under 50% with the remainder having either pre-settled status or pending.



9 [Immigration system statistics, year ending June 2025 – GOV.UK](#)

6. Annexes

Information provided from the Government of Gibraltar, the Northern Ireland Executive, the Scottish Government, the UK Government, and the Welsh Government in relation to implementation and application of Part 2 of the Withdrawal Agreement and EEA EFTA Separation Agreements.



Annex 1 Gibraltar

1) Residence rights

Gibraltar operates a residence scheme in accordance with Article 18(4) of the Withdrawal Agreement and Article 17(4) of the EEA EFTA Separation Agreement.

EU and EEA/EFTA nationals who are exercising residence rights under the Agreements are issued with a blue civilian registration card. Persons connected with these nationals (who are within the scope of the Agreements) may also apply for a blue civilian registration card (which is substantially in the EU's uniform physical format) under regulation 5 of the Electronic Identity Card Regulations 2015. Provided that the person can prove their entitlement, there is no time limit for application.

The blue civilian registration card serves as proof that the recipient is registered as resident in Gibraltar and may be used as a form of ID. As such, the card may be used to access provisions relating to residence.

Where a person had a blue civilian registration card before IP completion day (issued under EU law) that person can continue to use that card to access provisions for the remainder of their residence in Gibraltar.

Gibraltar has not put in place more favourable residence conditions.

Gibraltar has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement. From 1st August 2025 the fee for the first issue of a card was revised to £36 and £15.50 for a renewal.

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

Key legislative instruments in Gibraltar are:

- [European Union \(Withdrawal\) Act 2019](#)
- [European Union \(Withdrawal Agreement\) Act 2020](#)
- [Electronic Identity Card Regulations 2015](#)

The following instruments are also relevant to the implementation of the Withdrawal Agreement and the EEA EFTA Separation Agreement.

- [Immigration, Asylum And Refugee Act](#)
- [Civilians Registration Act](#)
- [European Union \(Civilian Registration\) \(EU Exit\) Regulations 2021](#)
- [Notice of Prescribed Fees](#)

All of the legislation listed above implement both the Withdrawal Agreement and the EEA EFTA Separation Agreement.

B. Key legislative instruments adopted or amended in the reporting year

Key legislative instruments adopted or amended in the reporting year:

- [Immigration \(EU Exit\) Regulations 2025](#)
- [Gibraltar Status and Immigration \(Amendment\) Bill 2025](#)

The above-mentioned legislative instruments contain a provision clarifying that the changes do not apply to a person to whom the provisions of the withdrawal agreement, the EEA EFTA separation agreement or the Swiss citizens' rights agreement.

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

Technical Notice: Guidance Following the Publication of the Immigration (EU Exit) Regulations 2025.

The technical notice clarifies that the Immigration (EU Exit) Regulations 2025 do not apply to a person to whom the provisions of the withdrawal agreement, the EEA EFTA separation agreement or the Swiss citizens' rights agreement.

D. Key domestic jurisprudence from the reporting year

No jurisprudence has arisen in the reporting year.

E. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement and EEA EFTA Separation Agreement	1379
B	Number of residence applications made in the reporting year	5
B1b	Number of applications granted as permanent residence	5

2) Rights of workers and self-employed

In Gibraltar, beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. Frontier Workers continue to be provided with a dedicated government electronic platform on which they can confirm whether the Gibraltar Government considers them to be frontier workers covered by the personal scope of the Withdrawal Agreement.

The platform, which was launched on 10 December 2020 includes a facility, free of charge, which allows for frontier workers to request a letter certifying that they are frontier workers covered by the scope of the Withdrawal Agreement.

In the period 1 January to 31 December 2025 the electronic platform was accessed 1,963 times with no requests for the issuance of the letter received during this reporting period.

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

Key legislative instruments in Gibraltar are:

- [European Union \(Withdrawal\) Act 2019](#)
- [European Union \(Withdrawal Agreement\) Act 2020](#)

The following instrument is also relevant to the implementation of the Withdrawal Agreement and the EEA EFTA Separation Agreement.

- [Immigration, Asylum And Refugee Act](#)

All of this legislation implements both the Withdrawal Agreement and the EEA EFTA Separation Agreement.

B. Key legislative instruments adopted or amended in the reporting year

Key legislative instruments adopted or amended in the reporting year:

Immigration (EU Exit) (Amendment) Regulations 2025

The 2025 Regulations contain a provision that the changes do not apply to a person to whom the provisions of the withdrawal agreement, the EEA EFTA separation agreement or the Swiss citizens' rights agreement.

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

Technical Notice (11) Guidance to EU/EEA and Swiss Frontier Workers

is the key administrative document giving guidance on both the Withdrawal Agreement and the EEA/EFTA Separation Agreement.

Technical Notice – Guidance Following the Publication of the Immigration (EU Exit) Regulations 2025

The technical notice clarifies that the Immigration (EU Exit) Regulations 2025 do not apply to a person to whom the provisions of the withdrawal agreement, the EEA EFTA separation agreement or the Swiss citizens' rights agreement.

D. Key domestic jurisprudence from the reporting year

No jurisprudence has arisen in the reporting year.

3) Co-ordination of social security schemes

No special implementation choices have been made in respect of Gibraltar.

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

Key legislative instruments in Gibraltar are:

- [European Union \(Withdrawal\) Act 2019](#)
- [European Union \(Withdrawal Agreement\) Act 2020](#)
- [Healthcare \(International Agreements\) And Social Security Coordination Act 2019](#)
- [Healthcare \(European Economic Area and Switzerland Arrangements\) \(EU Exit\) Regulations 2020](#)

Each of these pieces of legislation implement both the Withdrawal Agreement and the EEA EFTA Separation Agreement.

B. Key legislative instruments adopted or amended in the reporting year

No relevant legislative instruments have been adopted this year.

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

[Technical Notice \(16\) Getting ready for the end of the Transition Period](#) – Social Security Coordination is the key administrative document giving guidance on both the Withdrawal Agreement and the EEA/EFTA Separation Agreement.

D. Key domestic jurisprudence from the reporting year

No jurisprudence has arisen in the reporting year.

E. Statistical data

Applicable legislation (Portable Document A1)	1
Cross-border health care	
EHIC	1,012
S1	3,745
S2	0
Pensions	
Old Age Pension	136
Survivors	0
Unemployment benefits (Portable Documents U1 and U2)	
U1	632
U2	0
Family benefits	
Maternity Allowance	87
Maternity Grant	212

4) Recognition of professional qualifications

No special implementation choices have been made in respect of Gibraltar.

A. Key legislative instruments implementing the Withdrawal Agreement

Key legislative instruments in Gibraltar are:

- [European Union \(Withdrawal\) Act 2019](#)
- [European Union \(Withdrawal Agreement\) Act 2020](#)
- [Recognition of Professional Qualifications and Services \(Amendments and Miscellaneous Provisions\) \(EU Exit\) Regulations 2020](#)
- [EEA and Registered European Lawyers and Lawyer's Practice \(Revocation etc.\) \(EU Exit\) Regulations 2023](#)

B. Key legislative instruments adopted or amended in the reporting year

No further legislative instruments have been adopted this year.

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

[Technical Notice – No Deal Brexit](#) – Recognition of professional qualifications is the key administrative document giving guidance on both the Withdrawal Agreement and the EEA/EFTA Separation Agreement.

D. Key domestic jurisprudence from the reporting year

No jurisprudence has arisen in the reporting year.

Annex 2 Northern Ireland

1) Residence rights

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

FED

The Further Education (Student Support) (Eligibility) (Amendment etc.) (EU Exit) Regulations (Northern Ireland) 2021 (amendment).

The Regulations determine entitlement to 'home fee' status in Northern Ireland further education – when a learner is considered an international or local student in terms of education fees.

HED

The following sets of regulations were made further to both the EU withdrawal and EEA separation agreements.

The Education (Student Fees and Support) (Amendment etc.) (EU Exit) Regulations (Northern Ireland) 2020

The Education (Student Fees and Support) (Amendment) (No. 2) Regulations (Northern Ireland) 2021

The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2022

The above amendment reflects changes made as a result of the Withdrawal Agreement and is in line with changes to residence rights made by the Home Office. Eligibility for 'home fee' charges and student financial support for further education courses in Northern Ireland were removed for EU, other EEA and Swiss nationals starting in academic year 2021/22, with exceptions for nationals and family members who were living in the UK at the end of the Implementation Period on 31 December 2020 covered by the citizens' rights provisions of the Withdrawal Agreements and Irish residents under the Common Travel Area Memorandum of Understanding.

B. Key legislative instruments adopted or amended in the reporting year

The PNOR Regulations (Northern Ireland) 2015 require further amendment to make provision for the Withdrawal Agreement and EEA EFTA Separation Agreement. The changes are known to IMA and do not affect citizens' rights.

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

FE Circular 04/24 – Further Education Residency Funding requirements | Department for the Economy

FE Circular 04/24 is the current guidance document for applying The Further Education (Student Support) (Eligibility) Regulations (Northern Ireland) 2012. This document was amended by and gives guidance to applying 'home fee' status after the Withdrawal Agreement. These residency requirements are tied to a learner's immigration status and this guidance is referred to when considering support or maintenance given by the Department.

HED

Financial help for EU students | [nidirect](#)

Finance for part-time EU students | [nidirect](#)

How to apply for finance – EU students | [nidirect](#)

D. Key domestic jurisprudence from the reporting year

Not applicable

E. Statistical data

Please provide statistical data on:

A	Estimated number of resident beneficiaries of the Withdrawal Agreement and EEA EFTA Separation Agreement	
B	Number of residence applications made in the reporting year	
B1	Number of in time residence applications made in the reporting year	
B1a	Number of applications granted as pre-permanent residence	
B1b	Number of applications granted as permanent residence	
B1c	Number of applications refused	
B1c1	Out of B1c, number of applications that were invalid	
B1c2	Out of B1c, number of applications that were withdrawn by applicants	
B1d	Total number of in time applications pending at the end of the reporting year	*
B2	Number of late residence applications made in the reporting year	
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2a	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	
B2a3a	Out of B2a3, number of applications that were invalid	
B2a3b	Out of B2a3, number of applications that were withdrawn by applicants	

Please provide statistical data on:		
B1d	Total number of late applications pending at the end of the reporting year	*
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	
D	Total number of curtailments or people who have lost their status in the reporting year	
D1	Out of D, total number due to no longer meeting conditions (i.e. absences, family changes)	
D2	Out of D, total number due to behaviour	
D3	Out of D, total number due to a change in sponsor relationship	

*If this cannot be distinguished, please provide aggregate data on pending applications.

The EU Settlement Scheme (EUSS) is operated by the UK Home Office and while evidence of having an EUSS status may on occasions be required for access to publicly funded healthcare in Northern Ireland, this data is not routinely recorded or reported on by the Department of Health.

2) Rights of workers and self-employed

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

There is no specific legislation for rights of workers and self-employed for access to publicly funded healthcare purposes. The Provision of Health Services to Persons Not Ordinarily Resident (PNOR) Regulations (Northern Ireland) 2015 make provisions on the exemptions from health service charges to a visitor who has an entitlement to the provision of those services by virtue of an EU right. The PNOR Regulations (Northern Ireland) 2015 require further amendment to make provision for the Withdrawal Agreement and EEA EFTA Separation Agreement.

Key legislative instruments adopted or amended in the reporting year.

The PNOR Regulations (Northern Ireland) 2015 require further amendments to make provision for the Withdrawal Agreement and EEA EFTA Separation Agreement.

B. Key legislative instruments adopted or amended in the reporting year

The PNOR guidance has been updated to provide access to publicly funded healthcare in NI for those EU citizens that fall within the Withdrawal Agreement and EEA EFTA Separation Agreement. The PNOR guidance is available here: <https://www.health-ni.gov.uk/sites/default/files/publications/health/doh-pnor-guidance-v2.2.pdf>

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

No jurisprudence has arisen in the reporting year.

D. Key domestic jurisprudence from the reporting year

No jurisprudence has arisen in the reporting year.

E. Statistical data

The EU Settlement Scheme (EUSS) is operated by the UK Home Office and while evidence of having an EUSS status may on occasions be required for access to publicly funded healthcare in Northern Ireland, this data is not routinely recorded or reported on by the Department of Health

3) Co-ordination of social security schemes

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

Not applicable

B. Key legislative instruments adopted or amended in the reporting year

The Social Security (Residence in an EEA State or Switzerland) (Amendment) Regulations (Northern Ireland) 2025 – there was a small cohort of claimants who were not explicitly covered by the EU Withdrawal Agreement or the equivalent agreements with the EEA EFTA states or Switzerland despite policy intentions at the time to do so. They were receiving payments via an ex-statutory initiative. These Regulations made minor technical changes to domestic legislation to provide a legal basis for the continued payment of disability and carer benefits for this cohort, thereby fixing this ‘SSC gap’. These Regulations are relevant to both the Withdrawal Agreement and the EEA EFTA Separation Agreement and were made in parity with the corresponding GB Regulations.

The Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2025 replaced the earlier temporary framework governing the exportability of Winter Fuel Payment. These Regulations removed all remaining provision permitting payment of Winter Fuel Payment outside Northern Ireland. Earlier regulations allowed for temporary exportability of Winter Fuel Payment in specific circumstances, including for certain persons within scope of the Withdrawal Agreement, the EEA EFTA Separation Agreement and the Swiss Citizens’ Rights Agreement. However, these provisions were explicitly time-limited and expired in April 2025, bringing exportability to an end. From Winter 2025/26 onwards, Winter Fuel Payment is payable only to persons who are resident in Northern Ireland during the qualifying week. These Regulations are relevant to both the Withdrawal Agreement and the EEA EFTA Separation Agreement and were made in parity with the corresponding GB Regulations.

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance relating to the UK's operational implementation of the social security coordination provisions of Part 2 of the EU Withdrawal Agreement.

This UK-wide guidance covers Northern Ireland.

D. Key domestic jurisprudence from the reporting year

Simkova (Appellant) v Secretary of State for Work and Pensions (Respondent) – UK Supreme Court. Judgment made at the Supreme Court on 19 November 2025 which is legally binding in Northern Ireland.

E. Statistical data

Please provide statistical data on*:

Applicable legislation (Portable Document A1)

Cross-border health care (EHIC, Portable Documents S1 and S2)

Pensions

Unemployment benefits (Portable Documents U1 and U2)

Family benefits

*This information will be provided by the Department for Work and Pensions on a UK-wide basis. While social security is devolved, international relations is an excepted matter.

This data is collected by the NHS Business Services Authority (NHSBSA) on behalf of the UK.

4) Recognition of professional qualifications

In Northern Ireland, professional qualifications recognised before the end of the transition period in December 2020, or in the process of recognition at that time, continue to be recognised in accordance with the Withdrawal Agreement.

European Union train driving licences (EU TDLs) continue to be recognised in Northern Ireland. The Department for Infrastructure as regulator of the train driver profession in Northern Ireland facilitates the recognition of train driver qualifications obtained in other jurisdictions, whether GB, the EU or elsewhere. Individuals who obtain a train driver position in Northern Ireland can have the qualifications they obtained elsewhere recognised by their employer and subsequently the Department.

- During the reporting period, no individuals sought to become entitled to practise as a train driver in Northern Ireland using the qualifications they obtained elsewhere.

The Driver and Vehicle Agency (DVA) Northern Ireland on behalf of the Department for Infrastructure (Northern Ireland) regulate Approved Driving & Motorcycle Instructors.

- During the reporting period DVA were able to support one EU Driving Instructor's application to join the Register for Approved Instructors in Northern Ireland.

Information on what professions are regulated under the 'Professional Qualifications Act, 2022', alongside their regulators can be found at [UK regulated professions and their regulators – GOV.UK](#)

Int Trade

In Northern Ireland, the rights preserved under Part Two of the Withdrawal Agreement and the EEA EFTA Separation Agreement in respect of the recognition of professional qualifications continue to operate effectively. Implementation has remained largely stable, with no significant legislative change or relevant case law during the reporting year affecting those rights.

The Department for the Economy has continued to engage with the UK Department for Business and Trade on the operation of post exit mutual recognition arrangements, including their practical application in a Northern Ireland context.

A. Key legislative instruments implementing the Withdrawal Agreement

[The Professional Qualifications Act 2022 \(Commencement No. 3 and Savings and Transitional Provisions\) Regulations 2023](#)

[The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023](#)

[The Train Driving Licences and Certificates Regulations \(Northern Ireland\) 2010](#)

Int Trade

The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019

These Regulations amended retained EU law to address deficiencies arising from EU exit and included saving and transitional provisions to ensure that decisions on recognition of professional qualifications, and applications in progress before the end of the transition period, continue to have effect in line with citizens' rights obligations.

Relevant to: Withdrawal Agreement and EEA EFTA Separation Agreement.

Professional Qualifications Act 2022

This Act establishes the UK-wide statutory framework for the recognition of professional qualifications following EU exit. It operates subject to savings and transitional provisions which protect the rights of persons covered by Part Two of the Withdrawal Agreement and the EEA EFTA Separation Agreement, including the continued recognition of qualifications recognised, or in the process of recognition, before the end of the transition period.

Relevant to: Withdrawal Agreement and EEA EFTA Separation Agreement.

B. Key legislative instruments adopted or amended in the reporting year

The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) (Extension to Switzerland etc.) Regulations (Northern Ireland) 2025 (SR 2025 No. 70)

Made under the Professional Qualifications Act 2022, these Regulations extend and clarify recognition arrangements for certain overseas qualifications within devolved competence. They do not amend or disapply rights preserved under the Withdrawal Agreement or the EEA EFTA Separation Agreement but operate alongside those protections within the wider post exit recognition framework.

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information on recognition of train driver qualifications obtained in another jurisdiction, EU and/ EEA states, or elsewhere can be found here:

[Train Driver Licensing, Certification and Regulatory Enforcement | Department for Infrastructure](#)

Driving/Motorcycle Instructors wishing to submit an Approved Instructor transfer application to DVA can do so at [Approved Instructor System | nidirect](#)

GOV.UK – Arrangements to facilitate the recognition of professional qualifications (DBT)¹⁰

UK Government guidance on arrangements for the recognition of professional qualifications (relevant to the Withdrawal Agreement and EEA EFTA Separation Agreement insofar as it explains the operation of saving and transitional provisions alongside post exit recognition frameworks).

European Commission guidance on recognition of UK qualifications held by EU nationals¹¹

Confirms that qualifications obtained in the UK before the end of the transition period by EU nationals remain EU qualifications for the purposes of Directive 2005/36/EC.

D. Key domestic jurisprudence from the reporting year

Not applicable

¹⁰ [Arrangements to facilitate the recognition of professional qualifications – GOV.UK](#)

¹¹ [Recognition of professional qualifications acquired in the UK by EU nationals](#)

Annex 3 Scotland

1) Residence rights

Energy Saving Trust (EST) acting on behalf of Transport Scotland, undertakes residency checks for all applicants to our incentive schemes which includes the Domestic charge point fund, Used electric vehicle loan, Factored development charge point fund, Switched on taxi loan, Electric van for businesses, Rural and island infrastructure fund and Cross-pavement charging grant. EST requires proof of address dated within the last 30 days and validates documents ensuring these documents are authentic, current, and linked directly to the applicant. The EST website explains the type of proof of address that are acceptable to demonstrate residential status in Scotland, EST also provide a post code checker allowing applicants to check eligibility prior to applying.

EST applies the same verification approach to businesses and organisations applying for grants supporting the installation of charge points across Scotland confirming that applicants and proposed sites meet fund criteria, including rural and island location requirements. A post code checker allowing businesses and organisations to check eligibility prior to applying.

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

Not applicable

B. Key legislative instruments adopted or amended in the reporting year

Not applicable

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

Not applicable

D. Key domestic jurisprudence from the reporting year

Not applicable

E. Statistical data

Please provide statistical data on:

A	Estimated number of resident beneficiaries of the Withdrawal Agreement and EEA EFTA Separation Agreement	
B	Number of residence applications made in the reporting year	
B1	Number of in time residence applications made in the reporting year	
B1a	Number of applications granted as pre-permanent residence	
B1b	Number of applications granted as permanent residence	
B1c	Number of applications refused	
B1c1	Out of B1c, number of applications that were invalid	
B1c2	Out of B1c, number of applications that were withdrawn by applicants	
B1d	Total number of in time applications pending at the end of the reporting year	
B2	Number of late residence applications made in the reporting year	
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2a	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	

Please provide statistical data on:		
B2a3	Number of applications refused	
B2a3a	Out of B2a3, number of applications that were invalid	
B2a3b	Out of B2a3, number of applications that were withdrawn by applicants	
B1d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	
D	Total number of curtailments or people who have lost their status in the reporting year	
D1	Out of D, total number due to no longer meeting conditions (i.e. absences, family changes)	
D2	Out of D, total number due to behaviour	
D3	Out of D, total number due to a change in sponsor relationship	

2) Rights of workers and self-employed

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

Not applicable

B. Key legislative instruments adopted or amended in the reporting year

Not applicable

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

Not applicable

D. Key domestic jurisprudence from the reporting year

Not applicable

3) Co-ordination of social security schemes

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

[The Social Security Co-ordination \(EU Exit\) \(Scotland\) \(Amendments etc.\) Regulations 2020](#)

B. Key legislative instruments adopted or amended in the reporting year

No amendments made to the above statutory instrument in 2025-26.

Relevant additional statutory instruments from the reporting year are (relevant to both agreements):

[The Social Security \(Cross-border Provision, Case Transfer and Miscellaneous Amendments\) \(Scotland\) Regulations 2025](#)

The following statutory instrument did not implement any provisions in either agreement. However, it relates to a new benefit made of three components which EU co-ordination rules apply to and, as such, is included here for information.

[The Carer's Assistance \(Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions\) \(Scotland\) Regulations 2025](#)

The following statutory instrument did not implement any provisions in either agreement. However, it addressed the rights of a particular group of individuals who were intended to be in scope of the Agreements, and is included here for information.

[The Social Security \(Residence in an EEA State or Switzerland\) \(Miscellaneous Amendment\) \(Scotland\) Regulations 2025](#)

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

[**Social Security Scotland – Decision-making Guide**](#) (chapters titled “Residence and Presence” refer) (applies to both Agreements) – improvements to these chapters are still in progress. The Scottish Government would be happy to share this with the IMA once complete.

[**Currently living in an EEA country or Switzerland or Gibraltar – mygov.scot**](#) (applies to both agreements)

D. Key domestic jurisprudence from the reporting year

No known Scottish-specific jurisprudence to report. The Scottish Government is considering the impacts on devolved benefit decision-making following the outcome of:

[**SE v Secretary of State for Work and Pensions UKUT 405 \(AAC\)**](#)

E. Statistical data

Please provide statistical data on*:

Applicable legislation (Portable Document A1)

Cross-border health care (EHIC, Portable Documents S1 and S2)

Pensions

Unemployment benefits (Portable Documents U1 and U2)

Family benefits

*This information will be provided by the Department for Work and Pensions on a UK-wide basis. While social security is devolved, international relations is an excepted matter.

This data is collected by the NHS Business Services Authority (NHSBSA) on behalf of the UK.

4) Recognition of professional qualifications

A. Key legislative instruments implementing the Withdrawal Agreement

Not applicable

B. Key legislative instruments adopted or amended in the reporting year

Not applicable

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Not applicable

D. Key domestic jurisprudence from the reporting year

Not applicable

Annex 4 United Kingdom

1) Residence rights

The United Kingdom operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme went fully live for applications on 30 March 2019. Residence documents have been issued in a digital form since it went fully live on 30 March 2019. Residence documents are issued free of charge.

The deadline for applications under Article 18(1)(b) of the Withdrawal Agreement was 30 June 2021. This deadline applied to EEA nationals and their family members resident in the UK before the end of the transition period (23:00 on 31 December 2020) – it did not apply to joining family members arriving on or after 1 April 2021 who are subject to a three-month post arrival deadline, as per Article 18(1)(b) of the Withdrawal Agreement.

The United Kingdom has put in place more favourable residence conditions than required under the UK-EU Withdrawal Agreement. Aside from identity and suitability requirements, eligibility for the EU Settlement Scheme (EUSS) is based on an EEA national being resident in the United Kingdom before the end of the transition period, rather than requiring them to have been exercising relevant Treaty rights. This expanded the scope of those EEA nationals eligible to apply for residency and simplifies the application process. As a matter of domestic policy, the UK has also chosen to allow certain derivative rights holders, who meet the residency requirements, to apply under the scheme.

The United Kingdom has made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement. However, this is a continuation of the position which was in place prior to the UK leaving the EU.

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

- [European Union \(Withdrawal Agreement\) Act 2020 \(legislation.gov.uk\)](#)
- [The Citizens' Rights \(Application Deadline and Temporary Protection\) \(EU Exit\) Regulations 2020 \(legislation.gov.uk\)](#)
- [The Immigration \(Citizens' Rights Appeals\) \(EU Exit\) Regulations 2020 \(legislation.gov.uk\)](#)
- [The Citizens' Rights \(Restrictions of Rights of Entry and Residence\) \(EU Exit\) Regulations 2020 \(legislation.gov.uk\)](#)
- [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(legislation.gov.uk\)](#)
- [Immigration Rules Appendix EU – Immigration Rules – Guidance – GOV.UK \(www.gov.uk\)](#)
- [Immigration Rules Appendix EU \(Family Permit\) – Immigration Rules – Guidance – GOV.UK \(www.gov.uk\)](#)

B. Key legislative instruments adopted or amended in the reporting year

- [Border Security, Asylum and Immigration Act 2025](#)

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

Operational guidance

- [EU Settlement Scheme caseworker guidance – GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/eu-settlement-scheme-caseworker-guidance)
- [EU Settlement Scheme Family permits](https://www.gov.uk/guidance/eu-settlement-scheme-family-permits)
- [EU Settlement Scheme suitability requirements](https://www.gov.uk/guidance/eu-settlement-scheme-suitability-requirements)
- [Immigration status and enforcement action: caseworker guidance – GOV.UK](https://www.gov.uk/guidance/immigration-status-and-enforcement-action-caseworker-guidance)
- [EU Settlement Scheme: Border Force guidance – GOV.UK](https://www.gov.uk/guidance/eu-settlement-scheme-border-force-guidance)
- [Public funds – GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/public-funds)
- [European Union, European Economic Area and Swiss citizens and their family members \(accessible\) – GOV.UK](https://www.gov.uk/guidance/european-union-european-economic-area-and-swiss-citizens-and-their-family-members-accessible)

Wider guidance

- [Apply to the EU Settlement Scheme \(settled and pre-settled status\) – GOV.UK \(www.gov.uk\)](#)
- [EU Settlement Scheme: family and travel permits – GOV.UK \(www.gov.uk\)](#)
- [UK residence cards: Overview – GOV.UK](#)
- [EU Settlement Scheme: administrative review – GOV.UK](#)
- [Visiting the UK as an EU, EEA or Swiss citizen – GOV.UK \(www.gov.uk\)](#)
- [Entering the UK under the EU Settlement Scheme and EU Settlement Scheme family permit – GOV.UK \(www.gov.uk\)](#)
- [Landlord's guide to right to rent checks – GOV.UK \(www.gov.uk\)](#)
- [Right to work checks: an employer's guide – GOV.UK \(www.gov.uk\)](#)
- [Apply for an EU Settlement Scheme travel permit to return to the UK – GOV.UK \(www.gov.uk\)](#)
- [Get an electronic travel authorisation \(ETA\) to visit the UK: Overview – GOV.UK](#)
- [eVisas: access and use your online immigration status: What an eVisa is – GOV.UK](#)
- [Using the 'EU Exit: ID Document Check' app – GOV.UK](#)
- [EU Settlement Scheme: UK tax and benefits records automated check – GOV.UK](#)
- [Immigration bail \(accessible\) – GOV.UK](#)

D. Key domestic jurisprudence from the reporting year

- [Gwladys Fertré v Vale of White Horse District Council \[2025\] EWCA Civ 1057 \(31 July 2025\)](#) – Withdrawal Agreement, but reads across to the EEA EFTA Separation Agreement
- [Iyabode Adeola Ayoola v SSHD \[2025\] EWCA Civ 1519 \(28 November 2025\)](#) – Withdrawal Agreement, but reads across to the EEA EFTA Separation Agreement

E. Statistical data

Please provide statistical data on:

A	Estimated number of resident beneficiaries of the Withdrawal Agreement and EEA EFTA Separation Agreement	5.8 million
B	Number of residence applications made in the reporting year	422,641
B1	Number of in time residence applications made in the reporting year	Unable to provide data
B1a	Number of applications granted as pre-permanent residence	33,941
B1b	Number of applications granted as permanent residence	267,977
B1c	Number of applications refused	68,018
B1c1	Number of applications that were invalid	72,983
B1c2	Number of applications that were withdrawn by applicants	24,972
B1d	Total number of in time applications pending at the end of the reporting year	Unable to provide data
B2	Number of late residence applications made in the reporting year	68,248
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	Unable to provide data
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	Unable to provide data

Please provide statistical data on:		
B2ca	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	Unable to provide data
B2a1	Number of applications granted as pre-permanent residence	13,775
B2a2	Number of applications granted as permanent residence	24,409
B2a3	Number of applications refused	25,715
B2a3a	Number of applications that were invalid	25,205
B2a3b	Number of applications that were withdrawn by applicants	5,190
B1d	Total number of late applications pending at the end of the reporting year	Unable to provide data
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	19,852
C1	Number of entry visas granted	7,802
C2	Number of entry visas applications refused	12,790
C3	Total number of entry visa applications pending at the end of the reporting year	Unable to provide data
D	Total number of curtailments or people who have lost their status in the reporting year	Unable to provide data
D1	Out of D, total number due to no longer meeting conditions (i.e. absences, family changes)	Unable to provide data
D2	Out of D, total number due to behaviour	Unable to provide data
D3	Out of D, total number due to a change in sponsor relationship	Unable to provide data

* If this cannot be distinguished, please provide aggregate data on pending applications.

Notes on the data:

1. The figure for A on the estimated number of resident beneficiaries of the Withdrawal Agreement and EEA EFTA Separation Agreement has been taken from data on the number of individuals granted EUSS status within the Immigration system statistics quarterly release, which will include individuals who sit outside of the scope of the Agreements, but who are granted status due to more generous domestic provisions.
2. Other figures provided based on published data from the Immigration system statistics publication, year ending December 2025.
3. Due to system limitations, we are unable to identify in-time applications made after the 30 June 2021 deadline for most applications (e.g. by joining family members to whom that deadline did not apply).
4. B1b and B2a2 both exclude automated grants of settled status to holders of pre-settled status. As of 31 December 2025, there had been 86,670 automated grants of settled status in total.
5. Section C excludes EUSS travel permits. Late application figures within B2a1 to B2a3b consist of post 30 June 2021 applications (excluding those from joining family members and derivative rights), which have been declared as late.
6. Applications made do not necessarily relate to those granted or refused within the same period.

Disaggregated data by nationality, including data totals for the Withdrawal Agreement and EEA EFTA Separation Agreement, can be found in the published immigration statistics: [Immigration system statistics quarterly release – GOV.UK](#).

2) Rights of workers and self-employed

In the United Kingdom, those who meet the definition of a frontier worker as set out in the Withdrawal Agreement are able to apply for a frontier worker permit confirming their status. Since 1 July 2021, frontier workers have been required to hold a valid frontier worker permit in order to evidence their right to enter the UK on this basis.

The frontier worker permit scheme opened for applications on 10 December 2020. The permits are issued primarily in a digital form. The permits are issued free of charge.

Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

- [The Citizens' Rights \(Frontier Workers\) \(EU Exit\) Regulations 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk)
- [The Immigration \(Citizens' Rights Appeals\) \(EU Exit\) Regulations 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

A. Key legislative instruments adopted or amended in the reporting year

Not applicable

B. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

[Frontier worker permit scheme caseworker guidance – GOV.UK \(www.gov.uk\)](https://www.gov.uk)

C. Key domestic jurisprudence from the reporting year

Not applicable

3) Co-ordination of social security schemes

E. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

DWP/HMRC and DHSC:

- [European Union \(Withdrawal Agreement\) Act 2020 \(legislation.gov.uk\)](#)
- Gibraltar equivalent to WA: [European Union \(Withdrawal\) Act 2019 \(gibraltarlaws.gov.gi\)](#); [European Union \(Withdrawal Agreement\) Act 2020 \(gibraltarlaws.gov.gi\)](#)

F. Key legislative instruments adopted or amended in the reporting year

- [The Social Security \(Residence in an EEA State or Switzerland\) \(Amendment\) Regulations 2025](#) – there was a small cohort of customers who were not explicitly covered by the EU Withdrawal Agreement (WA) or the equivalent agreements with the EEA EFTA states or Switzerland despite policy intentions at the time to do so. They were receiving payments via an ex-statutory initiative. This legislation regulations made minor technical changes to domestic legislation to provide a legal basis for the continued payment of long-term disability and care benefits for this cohort and to fix this ‘SSC gap’. These regulations are relevant to both the Withdrawal Agreement and the EEA EFTA Separation Agreement.
- [The Social Fund Winter Fuel Payment Regulations 2025](#) replaced the earlier temporary framework governing the exportability of Winter Fuel Payment. These Regulations removed all remaining provision permitting payment of Winter Fuel Payment outside Great Britain. Earlier regulations allowed for temporary exportability of Winter Fuel Payment in specific circumstances, including for certain persons within scope of the Withdrawal Agreement, the EEA EFTA Separation Agreement and the Swiss Citizens’ Rights Agreement. However, these provisions were explicitly time-limited and expired in April 2025, bringing exportability to an end. From Winter 2025/26 onwards, Winter Fuel Payment is payable only to persons who are resident in England or Wales during the qualifying week. These regulations are relevant to both the Withdrawal Agreement and the EEA EFTA Separation Agreement.

G. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

All departments: [Guidance relating to the UK's operational implementation of the social security coordination provisions of Part 2 of the EU Withdrawal Agreement.](#)

H. Key domestic jurisprudence from the reporting year

[Simkova \(Appellant\) v Secretary of State for Work and Pensions \(Respondent\) – UK Supreme Court.](#) Judgment made at the Supreme Court. Please find attached the reasons for the decision published on 19 November 2025.

[BHO, R \(on the application of\) v Secretary of State for Health and Social Care & Anor.](#) Judgment made at the High Court on 10 March 2026.

I. Statistical data

Please provide statistical data on*:

Applicable legislation (Portable Document A1)

Cross-border health care (EHIC, Portable Documents S1 and S2)

Pensions

Unemployment benefits (Portable Documents U1 and U2)

Family benefits

*We refer the IMA to the [Coordination of social security systems at a glance 2024 statistical report – EU Agenda](#) which provides the latest statistical data on SSC provisions.

4) Recognition of professional qualifications

A. Key legislative instruments implementing the Withdrawal Agreement

Not applicable

B. Key legislative instruments adopted or amended in the reporting year

Not applicable

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Not applicable

D. Key domestic jurisprudence from the reporting year

Not applicable

Annex 5 Wales

1) Residence rights

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

The Welsh Government supported the UK Government's passage and Royal Assent of the Border Security, Asylum and Immigration Act 2025, including section 45, which concerns EU Settlement Scheme rights of entry and residence.

B. Key legislative instruments adopted or amended in the reporting year

Not applicable

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

The Welsh Government continues to provide a package of free support to help EU Citizens continue to live and work in Wales. This package of support has enabled EU Citizens to get the help they need, including:

1. Free advice and support from third sector organisations, Settled, Travelling Ahead (TGP Cymru) and the Welsh Refugee Council.
2. Advice on social welfare issues and workplace rights
3. Outreach support for groups experiencing barriers to accessing support

Funding for EUSS Advice Services provided to third sector organisation Settled was extended throughout 2025-26 to continue to provide services to ensure EU citizens have access to the support services in relation to the EU Settlement Scheme and access to rights. Throughout 2025 Settled also delivered workshops to Welsh public bodies to raise awareness of the EU Settlement Scheme and EU citizens' rights.

Funding was awarded to enable Travelling Ahead (TGP Cymru) to deliver specialist, focused EUSS advocacy and advice to Roma communities in 2025-26. This funding reflected continued evidence of unmet need in Wales and ensured the Roma community had continued access to support following reductions in UK-wide funding to specifically support this group. The provision operated alongside, but was distinct from, wider national EUSS support.

Between October 2025 and March 2026, the service provided by TGP supported 40 new referrals from Roma families with late EUSS applications, individuals struggling to maintain or evidence digital status, and those facing post-decision barriers to accessing work, housing and public services.

The Welsh Refugee Council provides advice to EU citizens who are facing destitution where this falls within the scope of its funded advice services.

In line with the Welsh Government's 'Nation of Sanctuary' policy vision during 2025-2026, the Welsh Government's 'Sanctuary' website remained up to date on information for migrant and EU citizens.

The Welsh Government has produced and continues to share on our webpage six factsheets on EU Citizens' Rights, which include:

- Rights to access benefits
- Rights to access healthcare
- Rights to vote
- Rights to Study
- Rights to housing
- Rights to work

These factsheets are updated regularly and published on GOV.WALES. These leaflets have also been shared with our stakeholders who provide advice and support to EU citizens and can be accessed at: [EU citizens' rights | GOV.WALES.](#)

As part of a wider governance structure, the Welsh Government leads the EU Citizens Rights Forum. The forum continues to facilitate collaboration among EU stakeholders in Wales to develop targeted provision to support EU citizens in Wales.

The Welsh Government continues to communicate and share information to key stakeholders on various topics which could impact EU Citizens.

The Welsh Government has shared information regarding the Electronic Travel Authorisation (ETA) and its implications for EU citizens and their family members through various channels. This includes coverage in newsletters such as [Get ready for 2026: December Tourism Industry Update](#), with readers directed to the relevant GOV.UK guidance: [Get an electronic travel authorisation \(ETA\) to visit the UK: Overview – GOV.UK](#)

The Wales.com website, which provides information for those wishing to visit, study, live or do business in Wales, signposts users to the GOV.UK guidance from its [How To Get To Wales | Wales.com page](#).

The consumer Visit Wales website also provides information and links to the GOV.UK ETA guidance on several relevant pages, including:

- [Travelling to Wales from North America | Visit Wales](#)
- [Travelling to Wales from Ireland | Visit Wales](#)
- [Getting to Wales from outside the UK | Visit Wales](#)

The Welsh Government also provides signposting to GOV.UK guidance via the Visit Wales website for business and industry audiences, including:

- The Visit Wales Meet In Wales site (aimed at international business events markets) signposts to GOV.UK from [Getting to and around Wales | Meet In Wales](#).
- The Visit Wales travel trade website (for UK and international tour operators) includes guidance and a link to GOV.UK: [Travelling to and around Wales | Travel Trade Wales](#).
- Visit Wales industry communications have included regular updates, including newsletters such as Get ready for 2026: December Tourism Industry Update, signposting readers to the GOV.UK page: [Get an electronic travel authorisation \(ETA\) to visit the UK: Overview – GOV.UK](#).

D. Key domestic jurisprudence from the reporting year

Not applicable

E. Statistical data

Not applicable

2) Rights of workers and self-employed

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

Not applicable

B. Key legislative instruments adopted or amended in the reporting year

Not applicable

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement and EEA EFTA Separation Agreement

The Welsh Government has produced factsheets on EU Citizens' Rights, including 'Rights to work'. These factsheets are updated regularly and published on GOV. WALES. These leaflets have also been shared with our stakeholders who provide advice and support to EU citizens and can be accessed at: [EU citizens' rights | GOV.WALES.](#)

Home Office information packs have been shared with external Welsh businesses and European individuals resident in Wales with regards to checking rights to work and sharing 'share codes'.

D. Key domestic jurisprudence from the reporting year

Not applicable

3) Co-ordination of social security schemes

Social security co-ordination under the Withdrawal Agreement, EEA EFTA Separation Agreement and related citizens' rights agreements is implemented and administered primarily by the UK Government. In Wales, the Welsh Government's role is therefore focused on ensuring that eligible EU, EEA and Swiss citizens resident in Wales are able to understand and access their rights in practice, including through devolved services and Welsh Government-funded advice and signposting. The Welsh Government has produced factsheets on EU citizens' rights, including rights to access benefits, and shares these with stakeholders who provide advice and support to EU citizens in Wales.

In addition, the Welsh Government funds the Single Advice Service to provide free, independent advice to people in Wales on social welfare issues, including welfare benefits, debt, housing and related problems. This provision helps ensure that residents, including eligible EU, EEA and Swiss citizens and their family members, can access advice where difficulties arise in understanding or exercising rights to benefits or other support. The service sits alongside specialist EU citizens' rights provision and wider stakeholder signposting, helping to provide a route into generalist advice where an issue concerns devolved services, income maximisation, housing stability or other social welfare matters.

A. Key legislative instruments implementing the Withdrawal Agreement and EEA EFTA Separation Agreement

Not applicable

B. Key legislative instruments adopted or amended in the reporting year

Not applicable

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

The Welsh Government has produced factsheets on EU Citizens' Rights, including rights to access benefits. These factsheets are updated regularly and published on GOV.WALES. These leaflets have also been shared with our stakeholders who provide advice and support to EU citizens and can be accessed at: [EU citizens' rights](#) | [GOV.WALES](#).

The Welsh Government also worked with the IMA and key stakeholders to disseminate information for children, to ensure that children continue to have applications made on their behalf and can continue to access the rights and support their application confers.

D. Key domestic jurisprudence from the reporting year

Not applicable

E. Statistical data

Not applicable

4) Recognition of professional qualifications

Welsh Ministers have made regulations in devolved areas relating to recognition of professional qualifications, including [the Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Wales\) \(Amendment etc.\) Regulations 2023](#) (“the 2023 Wales Regulations”) and [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) \(Extension to Switzerland and Miscellaneous Provisions\) \(Wales\) Regulations 2024](#) (the “2024 Wales Regulations”). The 2024 Wales Regulations amend the 2023 Wales Regulations to extend their application to Switzerland, amends other legislation for the purpose of implementing the Swiss Agreement and corrects minor errors in the 2023 Wales Regulations.

A. Key legislative instruments implementing the Withdrawal Agreement

On 30 November 2023 Welsh Ministers laid the [Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Wales\) \(Amendment etc.\) Regulations 2023](#). The 2023 Regulations provide for the implementation of the provisions relating to professional qualifications within the EEA EFTA free trade agreement in areas which are devolved to Wales and impose statutory duties on regulators which the Senedd has the legislative competence to make.

On 20 November 2024, the Welsh Ministers laid [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) \(Extension to Switzerland and Miscellaneous Provisions\) \(Wales\) Regulations 2024](#) which implement provisions relating to the recognition of the mutual recognition of the professional qualifications contained in the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation on Recognition of Professional Qualifications (“the Swiss Agreement”), in relation to matters devolved to Wales.

B. Key legislative instruments adopted or amended in the reporting year

Not applicable

C. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

The Welsh Government has produced factsheets on EU Citizens' Rights, including 'Rights to Study'. These leaflets have also been shared with our stakeholders who provide advice and support to EU citizens' and can be accessed at: [EU citizens' rights | GOV.WALES](#).

There is also information available for all international students (including European citizens in Wales) on the Welsh Government's 'Sanctuary' website.

D. Key domestic jurisprudence from the reporting year

Not applicable





IMA

For the Citizens'
Rights Agreements

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