



For the Citizens'
Rights Agreements



Annual Plan 2022/23

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Joint Foreword

by the Chair of the IMA and the Chief Executive

We are pleased to present our second Annual Plan.

During our first year in operation, we have made sure our work would help both public bodies and citizens themselves in getting things right to uphold the important intent of the Withdrawal Agreement and EEA EFTA Separation Agreement; that aim remains within this Annual Plan.

We have been keen to hear directly from citizens about their experiences. We have used their information carefully to investigate where we think there may be systemic issues. This enables us to tackle matters as quickly as possible, working constructively with public bodies to find early resolutions to issues that affect many people.

We do this because we know making a difference quickly is what is important to citizens. While we work in partnership, where we can, to reach satisfactory conclusions, we will also not hesitate to exercise our powers including those of litigation, where they are needed.



As a new body, raising awareness of our work remains a key target and forming strong relationships and talking to citizens and stakeholders continues to be an important focus. We recognise, however, we can do more to bring clarity to the citizens' rights we expect public bodies to uphold.



Finally, in what continues to be a very challenging time we will ensure that our structure and organisation continues to be agile and responsive. This will enable us to deliver our vision to make sure EU and EEA EFTA citizens and their family members living in the UK and in Gibraltar enjoy the same rights under the Agreements as they did before the UK left the EU.

Sir Ashley Fox | **Dr Kate Chamberlain**
Chair of IMA | Chief Executive

Who We Are

The Independent Monitoring Authority for the Citizens' Rights Agreements (IMA) is an independent body that makes sure the rights of EU and EEA EFTA citizens and their families living in the UK and Gibraltar are upheld following the departure of the UK from the EU.

The citizens in the UK and Gibraltar covered by these agreements are those from the 27 EU Member states as well as Iceland, Liechtenstein and Norway.



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We were established in 2020 as a result of the Withdrawal Agreement and the EEA EFTA Separation Agreement.

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What We Do

Throughout this document reference is made to citizens' rights we monitor and promote. Our role is to monitor and promote those citizens' rights which are set out in the Withdrawal Agreement and EEA EFTA Separation Agreement. 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 principle of equality and non-discrimination also applies in relation to all of the citizens' rights.



These citizens' rights include:

- **residency:** this means the right to live in the UK or Gibraltar. It also includes the right to enter and exit the UK
- **the right to work:** this means the right to work, including self-employed work and also the right to continue to be a frontier worker¹
- **mutual recognition of professional qualifications:** this means 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:** this means that individuals who have lived in both the UK and the EU before the end of the transition period can 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.

¹A frontier worker is where a citizen lives in the EU but travels regularly to the UK for work.

How We Do This

As part of our monitoring role we actively look for information which will enable us to identify issues affecting citizens or to highlight best practice.

In order to do this, we:

- collect and analyse intelligence from a range of sources to help us understand the experience of EU and EEA EFTA citizens and their family members;
- receive complaints from people who believe that they have been, or may be, denied their rights;
- check that public bodies have done what they promise to do to improve the system for all;
- carry out inquiries where there are reasonable grounds to indicate general failings which affect a lot of people.



We do not resolve individual complaints but instead look for evidence of systemic problems which are preventing the rights of many citizens from being upheld.



The IMA also promotes the rights of EU and EEA EFTA citizens and their family members, as provided for under the Withdrawal Agreement and EEA EFTA Separation Agreement.

This means we take enforcement action where things are not going well but also means that we help improve understanding of citizens' rights amongst citizens and public authorities.

We do this by:

- working with public bodies to find resolutions to issues where rights might not be upheld;
- considering legal action if a public body has failed to implement or apply the citizens' rights agreements properly or if there is a need to clarify the law;
- sharing our knowledge of where things are going well and where things are going wrong to help everyone improve;
- engaging with citizens and stakeholders to raise awareness of our work and help improve understanding of citizens' rights;
- publishing reports to explain what we do and find.

We operate across the UK and Gibraltar and review all complaints from people covered by the Withdrawal Agreement.

These people are:

- EU and EEA EFTA citizens and their families including those family members who do not come from a European country;
- frontier workers in the UK and their families, these are citizens who work in the UK or Gibraltar, but live elsewhere in Europe;
- in limited circumstances, UK nationals who derive rights from the citizens' rights part of the Withdrawal Agreement and EEA EFTA Separation Agreement and their families (UK nationals living in the EU or EEA EFTA states fall under the monitoring of the EU Commission and the EFTA Surveillance Authority); and
- anyone who has equivalent rights to those contained in the Withdrawal Agreement or EEA EFTA Separation Agreement as a result of their eligibility to claim settled status.

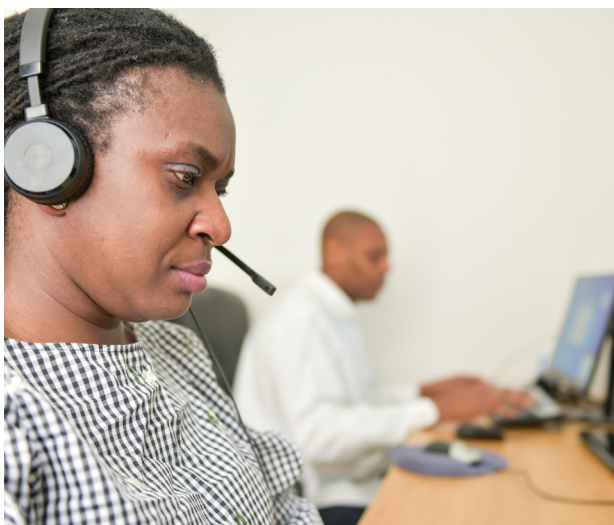
Our Plan For The Year Ahead

This Annual Plan sets out our **key priorities for the year from 1 April 2022 to 31 March 2023 and underpins how we will reach the targets outlined in our current Strategy which runs through to 2024.**

Our priorities are to:

A. Monitor the implementation and application of citizens' rights.

This means that we look into complaints we receive from citizens and monitor the actions of public authorities in the UK and Gibraltar as well as the laws which implement citizens' rights. We also examine information and intelligence about where there may be evidence of potential issues as well as considering any action, we might take to prevent rights from being breached.



This is something we are legally² required to do and to ensure it happens we will:

- Consider and respond to all complaints received through our website
- Proactively monitor public domain information including publications of key organisations and media and social media
- Undertake a survey of citizens to better understand their experience of living in the UK and Gibraltar
- Identify and analyse key legislation which affects the exercise of the rights of EU and EEA EFTA citizens and their family members.

²Paragraph 22 of Schedule 2 to the European Union (Withdrawal Agreement) Act 2020 requires the IMA to monitor the implementation and application in the UK of Part 2 of the Withdrawal Agreements and Part 2 of the EEA EFTA Separation Agreement. There is a corresponding duty in relation to Gibraltar.

B. Promote the adequate and effective implementation and application of citizens' rights.

This means that, where appropriate, we will use our powers to carry out inquiries and to report on their findings. We will also take legal action to ensure that clarity is provided to citizens and public authorities where issues cannot be resolved.



This is something we are also legally³ required to do and to ensure it happens we will:

- Act on complaints or other intelligence and investigate potential issues concerning the upholding of citizens' rights to identify opportunities for intervention and resolution at the earliest opportunity to address systemic failings by public bodies
- Conduct high quality, independent and timely inquiries where appropriate
- Take legal action where we consider it is appropriate in order to promote the adequate and effective implementation of citizens' rights.

³Paragraph 23 of the Schedule 2 to the European Union (Withdrawal Agreement) Act 2020 requires the IMA to promote the adequate and effective implementation and application in the UK of Part 2 of the Withdrawal Agreements and Part 2 of the EEA EFTA Separation Agreement. There is a corresponding duty in relation to Gibraltar.

C. Communicate openly and transparently to continue to raise awareness of the IMA.

Open and transparent communication will help us to continue to successfully monitor and promote the implementation and application of citizens' rights and ensure people are aware of our work.

Communicating our actions will also help to promote understanding of the rights contained in the Agreements and empower citizens where they face potential breaches of their rights.

It will also help to avoid similar problems arising in the future and provide guidance to public authorities who can learn from mistakes made by others.



To ensure this happens we will:

- Ensure citizens, stakeholders and public bodies have clear and transparent understanding of the work we undertake by:
 - publishing our Annual Reports and plans;
 - making our issues log and legislation reports public; and
 - launching a new website
- Amplify the understanding of key issues so citizens and stakeholders have better knowledge of their rights by using all communication channels to publicise our work
- Engage with a wide range of citizens, stakeholders and public bodies to understand their views and continue to raise awareness of the IMA
- Publish reports on the key legislation which affects the exercise of the rights of EU and EEA EFTA citizens and their family members to highlight where things may have gone wrong to assist public authorities to avoid similar issues and citizens to better understand their rights.

D. Work in partnership internally establishing a strong, transparent and open culture that is customer-focussed.

Promoting a strong, transparent and open culture will help ensure we can carry out our activities in a comprehensive, robust and timely manner. We will continue to be a customer-centric organisation that operates effectively and efficiently to monitor and promote the implementation and application of citizens' rights.



To ensure this happens we will:

- Manage our resources efficiently to make sure we deliver for our customers by operating within budget and ensuring our website is accessible to the public at least 97% of the time
- Foster a modern workplace where staff are supported to learn and enjoy a strong work life balance. We will measure staff satisfaction by aiming for a result of at least 70% in our people survey and set staff targets for a minimum of 90% of key training to be completed
- Operate in a consistent, supportive and effective way so that operational and service levels are maintained. For example, we will conduct a Board effectiveness review and deliver against actions arising and aim to have an average short-term annual sickness absence target of no more than 5 days lost per full time employee in 22/23
- Ensure all correspondence is replied to in a timely manner (95%) including general correspondence (10 working days) and Freedom of Information requests (within 20 days) and subject access requests (within one month).



**For the Citizens'
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