



IMA

For the Citizens'
Rights Agreements

Annual Plan 2024/25

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Joint Foreword

This is the fourth Annual Plan of the Independent Monitoring Authority for the Citizens' Rights Agreements (IMA).

As an independent body we began operating in 2021. We work to ensure that eligible EU and EEA EFTA citizens and their family members can continue to live in the UK and Gibraltar, raise their families, access education, healthcare and benefits as they would have done before the UK left the EU.

Our remit is wide and far reaching and while we have achieved a great deal in our first few years of operation including successfully establishing all the necessary systems and processes to run and develop a brand-new organisation, there is more still to do.

We have now exercised all our powers. These are to receive complaints, undertake inquiries and take legal action.

The complaints we receive from citizens continue to provide us with valuable insight and information and help us to paint a picture of life in the UK and Gibraltar since the UK left the EU.

But we know we can do more to understand the environment in which we operate so a particular focus for us in the next year will be on refining and embedding the way we use insight and data across the IMA so we can be confident and assured that we are addressing those issues that matter most for citizens.

In the period covered by our last Annual Plan we have published the result of our first inquiry into whether the Home Office was issuing Certificates of Application to citizens applying to the EU Settlement Scheme (EUSS) promptly enough.

We launched this inquiry, which was undertaken in a spirit of co-operation, to satisfy ourselves that the Home Office is complying with the duties set out for them in the Withdrawal and Separation Agreements to uphold citizens' rights.

We hope that this collaborative approach and the constructive recommendations outlined in the final report were useful to both citizens and the Home Office.

This spirit of co-operation is something we aim to embed in all our work with public bodies as, while we will not hesitate to use our legal powers where necessary, we know that working together, where we can, in an open and transparent manner is likely to bring swifter resolutions to issues.

Ensuring that the citizens whose rights we protect are aware of who the IMA are and what we do continues to be a priority for the organisation.

We therefore look forward to continuing to hear from citizens and working with stakeholders to continue to better understand any barriers as we work with public bodies to ensure citizens' rights are upheld and protected.

We also want to ensure that citizens are aware of the rights they have so they are empowered to act, and we also want public bodies to have confidence, they are doing what they should to uphold those rights.

Our Annual Plan for 2024-25 therefore outlines how we intend to continue to deliver for EU and EEA EFTA citizens and their family members who call the UK or Gibraltar home.

Leo O'Reilly
Interim Chairman of the IMA

Miranda Biddle
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.



We were established as a result of the Withdrawal Agreement and the EEA EFTA Separation Agreement (the Agreements).

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 and their family members.

We review all issues from these citizens who also include:

- 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 Agreements 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 Agreements as a result of their eligibility to claim settled status under the EUSS.

Our Statutory Duties

We have two statutory duties. These are to monitor and promote those citizens' rights which are 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.



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 worker;
- **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.

Our Vision, Mission and Values



Our vision is that all EU and EEA EFTA citizens and their families living here broadly enjoy the same rights as they did before the UK left the EU.

To achieve our vision, the IMA's mission is to put upholding citizens' rights at the heart of UK public bodies' work.

Everything we do is based on our values which reflect:

- our **people-centred** approach which always considers people first;
- our **independence** from government;
- our willingness to **listen** to citizens and public bodies;
- our **transparency** in how we work;
- and our ability to make **impartial** decisions.

How We Fulfil Our Duties

As part of our monitoring role, we actively look for information which will enable us to identify where things are going well and where things are not.

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 citizens who believe that they have been, or may be, denied their rights;
- carry out inquiries and issue calls for evidence where there are reasonable grounds to indicate general failings which affect a lot of citizens;
- carry out reviews of public services to check that public bodies are doing what they should to uphold the rights of citizens;
- check that where there are issues that public bodies do what they promise to do to improve the system for all.

While we do not purposefully and directly resolve individual complaints we do, however, consider every complaint reported to us. We do this because they provide valuable intelligence as well as potentially highlighting evidence of general problems which are preventing the rights of many citizens from being upheld.

It is also the case that through addressing general and systemic failings it may indirectly lead to the resolution of individual issues raised with us by way of complaints.

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;
- 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;
- taking 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;
- publishing reports to explain what we do and find.

What We Achieved in 2023-24



24

key pieces of
legislation monitored



1,000

respondents
to our survey



123

in scope complaints
received (up until Feb 2024)

41

lines of enquiry on our issues
log across seven key themes

1. Access to Healthcare
2. Equal Treatment & Non-Discrimination
3. Residence
4. Entry into the UK
5. Social Security
6. Housing
7. Living in the UK



4

All staff
events held



64%

Staff Engagement Score
(Civil Service People Survey)



1000+

articles written
about the IMA



£5.6m

annual budget



2million+

social media posts reach

The Risks We Face

Managing any risks to achieving our objectives is critical to our delivery. We manage these in the context of the world in which we work which includes a focus on asylum and immigration, a spotlight on citizen confidence in public authorities as well as increasing pressure on public expenditure.

Our risk management framework ensures we identify, manage and appropriately review the risks to achieving our objectives. This framework operates at every level of the organisation, ensuring risks are identified and managed at the right level.

Our role is broad, and to ensure our resource is effectively prioritised to where we can have the biggest impact we must have the right information to plan our work and adapt where necessary. Having that information will assist decision-making which looks to gain the maximum benefit for the citizen and also value for money for the taxpayer. To achieve our objectives we must ensure strong relationships with our stakeholders, including those public authorities who are responsible for implementing the rights contained in the Agreements, but also those organisations who work with citizens where things may have gone wrong.

The complexities of the Agreements and how they are reflected and interact with the domestic framework means that we must have robust internal processes to identify issues and what action, if any, the IMA should take to improve access to rights for citizens.



Our Commitments for 2024-25

We have four key commitments for 2024-25 which we believe will enable us to be most effective at delivering against our statutory duties to monitor and promote.



They will help us to ensure the rights of EU and EEA EFTA citizens and their family members are being properly upheld by public bodies.

These commitments, which are outlined on the following pages, will also help us to work towards the strategic objectives outlined in our new Strategy for 2024-27.

1. Bring resolution where rights are not being upheld, addressing areas of concern

The IMA has powers to receive complaints, undertake inquiries and take legal action.

We will use our powers to influence positive change for EU and EEA EFTA citizens and their family members if there is evidence their rights might or may have been breached.

We will use insight and data to help inform our decisions to investigate evidence of potential issues.

We also examine complaints we receive from citizens and monitor the actions of public bodies as well as the laws which implement citizens' rights.

We will do this by:

- Embedding new systems to assess and proactively collect and monitor data which will help us better understand the experience of citizens living in the UK and Gibraltar;
- Working with public bodies to, where possible, agree resolutions to issues which may impact on the rights of citizens;
- Reviewing all complaints received from citizens to identify potential systemic issues and identifying opportunities for early resolution;
- Identifying and analysing key legislation which affects the exercise of the rights of EU and EEA EFTA citizens and their family members;
- Conducting high quality, independent and timely inquiries where appropriate
- Taking legal action where we consider it is appropriate to promote the adequate and effective implementation of citizens' rights.

2. Raise awareness of the relevant rights empowering citizens to take action where needed

The IMA has a statutory duty to promote the effective and adequate implementation of the relevant rights.

We do this by being clear and transparent about what we do, regularly publishing reports and information about the work we undertake.

We do this so we can assist citizens to understand their rights so they can challenge when things have gone wrong.

Part of this is also liaising with the Government of Gibraltar, Northern Ireland Executive, the Welsh Government, Scottish Government and the UK Government to understand how the lives of citizens in their areas have been impacted since the UK left the EU.

We will do this by:

- Ensuring citizens, stakeholders and public bodies have clear and transparent understanding of the work we do by:
 - Clearly explaining the outcome of our work including publishing the results of inquiries and litigation we may undertake;
 - Publishing all our statutory reports to agreed timescales and being open and transparent about our plans and making our operational guidance as accessible as possible;
- Using communication channels to raise awareness of the rights among citizens so they are empowered to act;
- Continuing to undertake a comprehensive programme of engagement with a range of stakeholders including citizens, governments, public bodies, advocacy groups and charities to help to amplify the work of the IMA and the understanding of citizens' rights. This will include a refresh of our citizens' panel.

3. Work in partnership with public bodies to shine a light on areas of good practice and gain assurance that relevant rights are being upheld

The IMA has a statutory duty to monitor the implementation of the rights by keeping under review the adequacy and effectiveness of the actions of public bodies.

This means we will actively look for evidence that rights are being upheld, seeking assurance from public bodies and the governments representing all

parts of the UK and Gibraltar over their actions as we are aware that an absence of complaints does not necessarily mean an absence of issues.

This will help to prevent issues becoming problems and enable positive resolutions to be reached to ensure the rights of citizens are being upheld by public bodies.

We will do this by:

- Working in partnership with public bodies and regulators to seek information on how rights are being protected, including receiving referrals from public bodies;
- Conducting assurance reviews with public bodies and ensuring reports are made public;
- Promoting the best practice of public bodies in relation to the upholding of rights;
- Sharing learning from our work to help better equip public bodies to understand their duties.

4. Continue to develop a collaborative and modern workplace which promotes a culture of transparency to deliver for citizens

Our people are our best asset so we will promote a strong, transparent and open culture which is committed to equality, diversity and inclusion where learning and development is encouraged.

People will be equipped with the skills they need to do their jobs which will help ensure we can carry out our

activities in a comprehensive, robust and timely manner.

We will continue to be a customer-centric, collaborative organisation that operates effectively and efficiently to monitor and promote the implementation and application of citizens' rights.

We will do this by:

- Embedding a new People Strategy across the organisation, encouraging collaboration, learning and development; whilst improving on staff engagement levels from prior year;
- Managing our budgets and resources robustly, complying with spending controls where applicable, and ensuring value for money;
- Ensuring that we are processing and storing data appropriately and people have the necessary skills and training in these areas;
- Completing actions from external audit, public body review and board actions in a timely manner;
- Ensuring high levels of service delivery through engaged and professional staff who demonstrate IMA Values;
- Ensuring that we are transparent in how we deal with correspondence, so we respond in a timely manner (95%) this includes Freedom of Information requests (within 20 days) and subject access requests (within one month);
- Continuing to embed equality, diversity and inclusion across the organisation including delivering on our IMA disability action plan. This is underlined by the requirements of the Equality Act 2010, and our commitments to the Northern Ireland Equality Commission.



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