

APPLYING FOR SETTLED STATUS: AMBIVALENT AND RELUCTANT COMPLIANCE OF EU CITIZENS IN POST-BREXIT SCOTLAND

*Kate Botterill, Mariusz Bogacki, Kathy Burrell and
Kathrin Hörschelmann*

Abstract

This article contributes to scholarship concerning the effects of the UK Referendum on EU membership and Brexit on EU citizen rights in the UK (Botterill, McCollum and Tyrrell, 2018; Burrell and Schweyher, 2019; Gawlewicz and Sotkasiira, 2019; Huber, 2019). The paper focuses on applications for, and meanings of, ‘settled status’ among Polish nationals living in urban and rural Scotland. In particular we argue that the ‘simple’ act of application produces diverse responses among Polish nationals, characterised by ambivalent and reluctant compliance, with longer term implications for ontological security and sustainable communities. In the paper we present empirical data from the perspectives of three differently positioned individuals to illustrate the heterogenous experience of Polish nationals in Scotland and to demonstrate how pre-existing vulnerabilities and conditions are compounded by the EU settlement scheme. First, we highlight a view of citizenship as ‘social contract’ through the vignette of Marek who expresses ambivalence about Brexit and for whom the welfare system serves both as a safety net and a space of the undeserving. Second, we reflect on the complex bureaucratic process of gaining citizenship for a family, through the vignette of Monika. Finally,

Kate Botterill, Lecturer in Human Geography at the School of Geographical and Earth Sciences, University of Glasgow.

Mariusz Bogacki, Research Associate, University of Glasgow.

Kathy Burrell, Reader, University of Liverpool.

Kathrin Hörschelmann, Research Associate, Leibniz Institute for Regional Geography, Leipzig.

Applying for Settled Status

we consider how form filling is an anxious act of validating oneself and questioning one's belonging to place with longer term effects on ontological insecurity, through the vignette of Weronika. We conclude by offering a set of recommendations for Scottish policy on intercultural communication, integration and sustainable communities that, in the context of the COVID-19 pandemic, is ever more significant.

Keywords: settlement; citizenship; Polish migrants; settled status; EU migrants; Scotland

Producing new citizens: the EU Settlement Scheme

The EU Settlement Scheme is designed to process applications of EEA and Swiss citizens and their families, resident in the UK to obtain the status they require to remain in the UK after 30th June 2021. The UK government provides information on the requirements for those living in the UK on applying for settled or pre-settled status (UK Government, 2020). At the time of writing, any EEA or Swiss national who doesn't apply before the deadline (30/6/21) will be living without rights or protections¹. The online application process, designed to be 'simple and straightforward' (Home Office, 2020a), involves entering personal details such as full name, National Insurance number, address, passport or ID document scan. Following this, an applicant receives either settled or pre-settled status depending on the length of their stay in the UK². Both ensure that EEA and Swiss citizens resident in the UK retain the old EU membership rights and entitlements such as: ability to live and work in the UK, free use of the NHS, access to education and continued study, access to public funds and the right to travel in and out of the UK (UK Government, 2020). Whilst there is no conclusive figure it is estimated that there are 3.6 million EU-born migrants living in the UK (Vargas-Silva, 2019). At the time of writing, 3.4 million applications were made for settled status, with 3,147,000 applications being concluded. Of these 58% (1,813,300) were granted settled status and 41% (1,299,300) were granted pre-settled status. Of the total applications 665,500 were from Polish nationals (Home Office, 2020b) ⁽³⁾.

'Settled status' presents a new and untested form of citizenship in post-Brexit Britain at a time when border regimes are intensifying, not least in response to the COVID-19 public health emergency and our immobile present. Kostakopoulou (2018: 2) argues that after Brexit, many EU nationals will lose the full range of rights enjoyed as an EU citizen with many 'transformed into 'guests' or 'foreigners' in communities they call 'their own''. Criticisms have also been levelled at the reliability and fairness of the application process

(Staton, 2020) and those applying have described it as 'fraught and humiliating' (The Guardian, 2019). Prior to Brexit, migrants in the UK were classified as 'EU' or 'non-EU', now a new, ill-defined category is being introduced with 'moral overtones of deservingness' and uncertain consequences for the politics of belonging and citizenship in the UK (Burrell and Schweyher, 2019: 194; also see Gilmartin, Burke and O'Callaghan, 2018).

As Burrell and Schweyher (2019: 196) argue, the EU mobility regime is 'a continuum of conditionality and exclusion'. Applications for settled status do not represent a positive trajectory towards citizenship. Applying for settled status is free but also compulsory; it determines a specific set of rights and obligations but doesn't provide a physical ID document, operating as a form of national census rather than a prescription of rights. Having Settled and Pre-Settled status allows EU nationals to stay and work in the UK but does not offer the right to vote in general elections or an entitlement to full British citizenship. This places EU nationals in a category between citizen and denizen (Lomba, 2010), a liminal space of uncertain protection and transitory disarray. A new status has been placed upon them without any consent or consultation – EU nationals could not vote in the Brexit referendum or UK general elections. It is important to acknowledge, then, that characterisations of Polish migrants as 'in-between' reflect a broader hierarchy of migrancy in which they are both 'cushioned by Europeanness, whiteness and the freedoms of EU citizenship' and 'exposed to an intensifying illiberal policy impetus' (Burrell and Schweyher, 2019: 193).

We know that for Polish nationals in the UK, settlement is a complex journey that is about more than the bureaucratic exercise of application. There are multiple temporalities of settlement (Gawlewicz and Sotkasiira, 2019); migrants embed into communities in multiple and diverse ways (Ryan, 2018) and there is a difference between being resident and feeling at home. Furthermore, settlement does not necessarily equate to citizenship. Piętka-Nykaza and McGhee (2017) show how settlement is an open-ended and fluid process for many Polish nationals in Scotland, while for others there are very clear parameters and timescales. They found that decisions for settling were strongly connected to the social anchors of relationships and family as well as the material securities of work and housing. Clearly Brexit and the COVID-19 pandemic present new challenges and destabilises these taken-for-granted anchors. Gaining settled status is also not a guarantee of security. Whilst research conducted before Brexit has shown widespread inequalities among EU8 nationals in Scotland (McGhee et al., 2013; Flynn and Kay, 2017; Kay and Trevena, 2018), many have argued that the UK referendum on EU membership and the Brexit negotiation has produced new vulnerabilities for Polish nationals.

Applying for Settled Status

This is largely connected to 'hostile environment' policies, experiences of racism and xenophobia, gendered precarity and the emotional cost of Brexit on a sense of belonging (Benedi Lahuerta and Iusman, 2020; Burrell and Schweyher, 2019; Botterill and Hancock, 2018; Duda-Mikulín, 2019; Rzepnikowska, 2019).

For some of our participants, Brexit signaled new economic opportunities and they were more optimistic about their future. The clarity of leaving the EU was viewed as a welcome step forward in contrast to the protracted uncertainty of negotiation. As such, we are careful, not to position the individuals represented in our paper, nor the wider category of 'Polish migrants' as 'vulnerable'. We see human vulnerability as a universal existential condition connected to ontological security (Laing, 1960; Giddens, 1991) – or 'security of being' - that is both exterior to human agency, and intimately felt, more or less, in different times and places. At the same time, there are clearly those in precarious conditions with respect to the EU settlement scheme, most notably those who are unable to supply the correct 'evidence' to satisfy the scheme, those who are digitally isolated and those who, for various reasons, are fearful to apply (Drozdowicz, 2018). What follows is a short intervention highlighting three examples of how Polish nationals living in Scotland understand and navigate the bureaucracy of applying for settled status, and how their experience is complicated by their differentiated positions in UK society. As noted, these examples deal with issues of growing older and relying on the UK welfare state, challenges to identity and ontological insecurity, the complexities of negotiating UK bureaucracy as a family, and perceptions of xenophobia and racism in everyday life.

Methodology

We interviewed 21 Polish nationals living in rural and urban Scotland. These biographical-narrative interviews aimed to explore how personal histories of transition and migration affect the way people perceive and cope with Brexit. Participants were aged between 18 and 60, consisted of 11 women and 10 men and represented a variety of educational backgrounds and professions. The interviews were conducted in English and Polish, depending on the preference of interviewees. Polish interviews were transcribed and translated by a certified translator. Data was coded and analysed using NVivo software. The interviews took place in July 2019 at a time of prolonged uncertainty when the decision to leave the European Union was being contested following the failure of Theresa May's government to gain sufficient support to execute Brexit on the initial deadline on 29th of March 2019.

The research team behind the study consisted of a Polish and a British (English) national and throughout the study we reflected on our positionalities in relation to the interviewees. In different ways we consider ourselves as migrants in Scotland, yet with quite different migration histories, statuses and attachments to Scotland, Britain, Poland and Europe. Our experiences have shaped how we interpret and represent the words of others, and we have engaged in *reflexive practice* as the political realities of Brexit have evolved and surfaced our own vulnerabilities (Page, 2017). This paper is written with an acute awareness of these positionalities and a motivation to communicate the diverse stories of individuals, whose personal challenges reflect broader societal issues and raise new questions about managing migration in post-Brexit Scotland. Through an in-depth analysis of our sample we have captured a diverse range of personal situations and highlight the peculiarity and variety of individual experiences of Polish individuals.

Settled, pre-settled, unsettled: three vignettes

Marek

Marek, who was interviewed in Polish, is in his late fifties and has lived in Edinburgh for 13 years. He worked as a gardener until he became ill and had to stop working. He lives alone in social housing and has multiple ill-health conditions that require him to claim financial assistance from the state. Marek is not concerned with Brexit, he says *'Brexit has completely no significance for anything. It's completely irrelevant in life'*. At the same time, he is aware of his economic dependence on the state, and when asked if he will apply for settled status he responds: *'Well, allegedly...You have to get the status, fill out this refugee form or ... something'*. The precarity of his circumstances are acknowledged but do not worry him enough to make an application for settled status. He is ambivalent to the changes to the UK migration system expressing almost a disbelief that this will affect him given that he did nothing wrong.

What will they do? After all, they will not colonize us, we will not go to jail, nothing ... What is to, why should I be afraid of something? I don't do anything wrong, do I?... They cannot take away the pensions from people, they could as well introduce euthanasia as of tomorrow. Well, how can they take them from people who are ill and what will they do with them?

Applying for Settled Status

Marek's attitude towards the scheme aligns with concerns expressed by Clay et al. (2019) in a report on the take up of settled status in the UK. They point out that while the government goal is to secure a 100% take-up of the scheme, data from previous regularization schemes indicate that this target is unlikely to be reached. Whilst the media coverage of Brexit might be an advantage in raising awareness of the scheme, the UK has very little experience in enrolling such regularization schemes. Clay et al. (2019) argue that failure to apply for settled status on time might be due to a number of reasons, including confusion over eligibility, the spread of misinformation and mistrust of bureaucratic processes. For Marek, despite his confidence that the state will protect him, these factors are also relevant to his non-compliance. He says: *'...I don't like bureaucracy, I don't like paperwork. I hate telephones, e-mails, such things'*. Marek conceives citizenship as social contract which is underpinned by a confidence in the social rights afforded to him by the state without the need to prove his status.

Even though Marek has access to the Internet and is aware of the governmental requirement to apply for settled status his apprehension to engage with state bureaucracy might also indicate an issue of trust in institutions. This could reflect Marek's personal histories of transition and interactions with the state in post-socialist Poland. Later in his interview Marek remarked on living through transformation from state socialism to capitalism in the 1990s and the way that corruption affects public trust in the state.

Whatever you would do in Poland, it was new then. You couldn't find out anything from the authorities because they didn't know either...it was bribery and doing deals under the table, wasn't it? It functioned like that then probably still does. If you didn't have a friend, if you didn't have somewhere, forget about anything. There was no other option...

Marek's reluctance to apply for settled status is also exacerbated by a sense of undeservingness related to long term ill-health and an inability to financially contribute to society.

Only in Poland I feel at home. Here...I don't feel anywhere that I am at home...I don't know, if I don't pay taxes somewhere, I don't work for example, I kind of don't feel like a citizen, you know.... if I were a citizen, like I'm not sick, I go to work, pay taxes, everything the way they want, then that's ok, isn't it? I'm in a different situation, I'm sick, I'm not working at the moment

Here, Marek's perception of citizenship is connected with a financial contribution to society and productive purpose, he considering himself as a 'guest in this country.' He says he feels at home only in Poland, suggesting

the power of prior attachment for diasporic communities. Rather than resist Marek internalises and accommodates his own exclusion. This disavowal of the unproductive migrant is reflected in policy discourses on migration where migrant suitability is interpreted through economic outcomes for the state. The 'good' or 'ideal' migrant, who is healthy, able-bodied, productive, flexible and skilled, is constructed as a welcome and desirable addition to the nation state, whilst those deemed 'low skilled' or not in (legitimate) work are perceived as a social burden (Findlay et al., 2013). Whilst the Scottish Government has attempted to challenge this discourse, the emphasis on 'contribution' by the First Minister and Scottish Government reflect these ideas. As Collins and Bayliss (2020) argue the power of this discourse in objectifying migrants can lead to performances of credibility and desirability as 'good migrants'. For Marek, citizenship is viewed as a reward for work and paying taxes, rather than a basic human right of residence, reproducing the narrative of the undesirable migrant as undeserving.

Monika

Monika, who was interviewed in Polish, is in her late thirties and has lived with her husband, Robert, in rural North East Scotland for 14 years. They work locally, own a property and have two school-age children. Monika and Robert have British citizenship but their children, who were born in UK before their applications were complete, do not. They were motivated to apply for British citizenship in order to settle in Scotland and be considered as 'equal'.

We thought that the situation could change in the future, so since 2012 ...we have had the British citizenship... we thought that since we decided to stay here, to be here it was also so that I would not be accused that a Polish woman seeks a job, it was the main reason that I would be, well, seen as equal. I still think that for example, when we apply for a job or we go somewhere people react strangely to [our Polish surname], I understand that phonetically it's different, it's difficult to pronounce, but you can feel it, where you are from, the first question is always 'where are you from'... or 'Do you speak English well', so I always answer them: 'You can probably hear from how I communicate with you that I speak English fluently', right? Because what kind of question is that

Monika and Robert's children were born in Scotland before they were granted British citizenship. They are now in the process of applying for citizenship for their children but are caught in bureaucratic limbo.

Applying for Settled Status

I'm worried, I'm worried about what will happen, right?... our children were born when we did not yet have British citizenship, they are still, they have Polish nationality... when we applied for British citizenship and we wanted to do it for our family, for everyone, then the Home Office informed us that because we were applying for citizenship the children would later, because after our passports they would get citizenship and we didn't need to apply for citizenship for children. Our documents were kept for almost half a year without a response, then sent back second class, however, that the children have been refused... there is no right granted to children who were born here, speak this language, here they have always been Polish. And this is something very incomprehensible to me.

Following multiple requests to the Home Office and immigration advisors in their local authority, Monika is still uncertain about the settlement status of her children, having received contradictory advice from a range of advisors over whether to apply for settled status or permanent residency, and whether the application costs money or not. The rules on acquiring British citizenship for children born in the UK to EEA nationals is complex and depend on the year of birth and it is not clear why the Home Office rejected their children's application. Monika and Robert should be entitled to register their children as British citizens because their own British citizenship status means they are legally 'settled' but they are understandably confused by the process. The application form is lengthy and requires identification details of the child and parents, residency and travel, references and, if the child is aged 10 or over, a 'good character' statement. Due to Coronavirus there are delays in processing the paperwork for citizenship and settled status, and document scanning facilities for processing biometric data (required for the application) are currently suspended. The additional barriers to settlement via citizenship for their children mean that Monika and Robert might have to apply for settled status but without any current extension to the deadline for applications the circumstances are very challenging.

For EU citizens who have lived in Scotland – in some cases their entire lives – the uncertainty of the changing visa regime from a fairly straightforward 'exchange', following Poland's accession to the EU, to a complex and shifting set of rules and regulations that are 'incomprehensible' presents a significant cause for anxiety about their security in Scotland. The lack of access to consistent and reliable information about settled status and citizenship has intensified Monika's anxieties and led her to question her own attachment to Scotland and to consider a return to Poland. Improved communication and cooperation

between the Home Office and devolved administrations, as well as local authorities, is required in order to ensure that all entitled EU nationals receive the correct status. This is especially valid for information regarding the rights of children, an issue that has led to serious errors in the past, i.e. the 'Windrush' scandal (Tuckett, 2019).

Monika's experience also demonstrates that gaining formal citizenship rights does not resolve questions of integration and belonging, nor that a physical document overcomes experiences of Othering. For Monika, a primary school teacher, a breakdown in communication at work and intolerance of non-English speakers exemplifies this.

I have a class where half of the children are Polish and...there has been a total breakdown in communication, in this international closeness of this school. It is a school with lots of people, for example, from other countries, but [School leadership] doesn't tolerate that... we will not send our child there.... It is sad because it really used to be so very, well, parents helped willingly, they were involved in school, we had international days, celebrations, it was so celebrated, but for example now the rule is 'You must not speak Polish, you are not allowed to communicate or something in Portuguese', there is no inclusion of these parents and the parents don't feel welcome at school... Brexit made it worse and it was just a bit, both of us, my husband and I, we've heard that we want Brexit because you're taking our jobs, we've heard it many times.

Monika describes a change in the school's attitude towards migrant communities. Prohibiting speaking languages other than English represents a shift from celebrating internationalism to more exclusionary practices against minority groups and neglect of intercultural communication by the school leadership. While Monika doesn't elaborate on the reasons behind this change in attitude, it has been argued that Brexit reignited anti-immigrant sentiments and strengthened nationalist agendas (Virdee and McGeever, 2016). Phipps' (2017: 101) argues that different languages are experienced as part of daily life in Scotland, yet as Monika's quote suggests there remain barriers to enabling positive multilingual interactions in Schools. This example is counter to the development of language policy in Scotland which, since the adoption of the 2012 1+2 languages policy and the Sign Language (2015) Act, Scotland, is a progressive attempt to democratise multilingual experience (Phipps, 2017). Indeed, as Phipps (2017) notes, Polish language has been considered by the Scottish Parliament as an additional modern language for the School curriculum. In light of this, further emphasis by the

Applying for Settled Status

Scottish Government on intercultural communication and cultural awareness education in primary school settings is important, particularly in the context of the social transformations produced by Brexit. Following Phipps, we argue for further research on the interrelation of Brexit, language policy and devolved administrations (McMillan, 2008) to ensure that 'multilingualism is developing apace in the varied, devolved policy contexts of Scotland' (Phipps, 2017: 98).

Weronika

Weronika chose to conduct the interview in English, she has lived in Edinburgh since 2004 and has worked in social care sector for 7 years. In 2012 she was diagnosed with a mental ill-health condition which means she has been unable to return to work and finds it difficult to leave her house. Weronika has been granted settled status but remains anxious and uncertain about her future in Scotland. The act of applying for settled status has resurfaced insecurities with regards to belonging and led her to question her attachment to Scotland.

I think before the referendum I never thought I am – I needed anything to certify my... being here. So, I didn't think I needed have a passport – British passport. I thought I was fine as I was, because I was European. And... I lived here for a long period of time. After the referendum I instantly felt I needed something to make me feel more secure. And I know many people who are considering moving because they were – I guess offended. And I felt offended by the vote myself. And I wish I was in a position in which I could have considered moving somewhere else, but I wasn't. So I wanted to, to feel as safe as possible but I was resisting that [Settled Status] application for really long period of time... Because I thought it wasn't fair. I... I didn't want to apply. I didn't want to feel like I'm forced to only apply by this decision. To make such major change to my identity

Weronika's resistance to make the application reflects a tension and struggle to give in to a system that positions her in a certain way. She talks about the emotional labour of having to prove oneself after the Referendum, leading her to question her right to 'being here', and the need to make a 'major change' to her identity for reasons of safety. Her already precarious sense of ontological security as an individual living with mental ill-health is further challenged. The act of application requires her compliance to what has been, for her, a problematic shift in the categorization and politicisation of EU citizens since the

Kate Botterill et al

Brexit referendum (Guma and Jones, 2018). A 'simple' formality symbolises a much more complex negotiation of identity and tangible turning point in the lifecourse of EU nationals towards a compliance with new visa regimes in post-Brexit Britain.

I think I felt a little bit more insecure and sensitive couple of years before. Where things were, or seemed, very unsettled. If I was in a group of people who were born in the UK and the subject was around Brexit or migration, I would have felt very on the fringe of that conversation and sometimes invisible. And I don't think I would have felt as strongly about having, or being a part of that conversation, before 2016. Things have changed definitely I noticed

Feeling more uncertain about interactions and encounters exacerbates an already challenging health condition that limits Weronika's mobility and access to public spaces. There are intersecting vulnerabilities throughout Weronika's narrative, her pre-existing health condition positions her as outside the narrative of the 'economic migrant', potentially undeserving of and peripheral to the Scottish Government's powerful narrative of welcome. At the same time, the resistance to an unjust act of compliance and to unwillingly subscribing to a new category of migrant causes disappointment and frustration. On paper Weronika's situation is straightforward, she was awarded settled status without problems despite her long-term health condition, but the process of application has generated an emotional trauma of questioning who she is and what being settled means.

Discussion and Conclusions

This article presents a diverse range of responses of Polish nationals to the EU Settlement Scheme, the UK citizenship process and considers the broader implications for settling in Scotland. Whilst the data we present is not generalisable, it reflects deep engagement with the complex issue of migrant settlement and integration in Scotland and draws attention to particular experiences that are under-represented. More broadly, our data revealed common concerns about life after Brexit such as family stability and young people's rights to settlement, anxieties about economic instability, hypervigilance in everyday spaces for fear of xenophobia, lack of information and mistrust of bureaucracy. At the same time, some felt optimistic about their future, ambivalent about Brexit and saw 'settled status' as a small inconvenience. It is also positive that many Polish nationals in Scotland have been

Applying for Settled Status

granted settled status, but those who have been refused or have not yet applied remain vulnerable to losing basic rights and entitlements. The quasi-citizenship status offered through settled status does not afford the same rights as EU nationals enjoyed previously nor that of full citizenship, it is a conditional acceptance of members to a polity. Being granted settled status is, then, not equivalent to a sense of security and belonging in Scotland. We make four key points to conclude this discussion.

First, there remains a degree of **uncertainty and ambivalence** over what Brexit will bring. Contradictory political discourse and media speculation have caused some to question the validity of information about rights to settlement and re-consider their prospects for the future. This has already de-stabilised people's sense of belonging, affected their everyday interactions and attachments to place (Botterill and Hancock, 2018) with longer-term implications for public trust in government and decisions for return migration. These uncertainties are now compounded by the COVID-19 pandemic with many employment rights and choices for mobility being taken away.

Second, understanding and administering settled status cannot be separated from considerations of **social security and community health**. Those not in work are often forgotten or missed from the narrative of EU citizens that is largely driven by a neoliberal discourse of 'contribution' based on economic value and productivity. This excludes a large number of people, de-valuing individuals who are unable to work. Indeed, as Burrell and Schweyer (2019) argue even for those in work, what counts as legitimate work is increasingly under scrutiny and the new UK immigration rules place emphasis on 'skilled' workers. As a consequence, we see migrants positioned as 'deserving' and 'undeserving', a binary sometimes internalised by migrants themselves. Again, the COVID-19 pandemic further threatens job and health insecurity faced by individuals and families. A positive aspect of the Scottish Government's approach to migration is the emphasis placed on the social value of migrants and the contribution to cultural life in Scotland (Scottish Government, 2020). However, clarifying what this actually means has been problematic, especially as it still suggests a pressure to be actively *contributing*, this time culturally rather than economically. Clearly, to encourage uptake of the EU settlement scheme and to recognise the social value of EU nationals, there is a need for ministers to communicate more clearly what 'social value' entails, through multilingual and multi-level messaging to ensure no person is considered, or considers themselves, 'underserving' of support when in need.

Third, whilst there are examples of reluctant compliance with UK immigration regulations, there are broader concerns over how far EU nationals will feel

embedded in Scotland with longer term implications for **sustainable communities and inclusive nationhood**. The introduction of new categories of 'settled' and 'pre-settled' marks out individuals temporally towards a presumed ideal of citizenship. This is met both with resistance and ambivalence by our interviewees as people position themselves within new citizen hierarchies and divisions of 'us' and 'them' that challenges the Scottish Government's inclusive vision of migration and the integration of 'New Scots' (Scottish Government, 2018). For example, the simple act of form filling was perceived as proving one's identity bringing forth memories of segregated histories, futile bureaucracy and mistrust of state infrastructures in post-socialist Poland. This is exacerbated by everyday challenges of fitting in, speaking out and feeling equal in the context of 'hostile environment' and post-Brexit migration policies. Whilst the proposals for a Scottish visa are a positive step towards a fair and tailored migration policy for Scotland to uphold its ambition to be a 'welcoming and inclusive nation' where migrants can flourish (Scottish Government, 2020), more could be done to enhance community integration and wellbeing. Brexit has the potential to undermine the progress made in the area of linguistic pluralism and diversity in Scottish society (Phipps, 2017). It is imperative that the Scottish Government reiterate its commitment to multilingualism and multiculturalism and invest in equalities work in Scotland, ensuring this is transferred to municipalities.

Fourth, the **COVID-19 pandemic** has inevitably changed the nature of the migration debate in Scotland and the wider UK. EU citizens in lockdown in the UK are, like many, navigating the everyday uncertainties of job insecurity, access to safe housing, welfare, financial support and care for vulnerable individuals. This is compounded by the possibility of ill-health and the immobility of staying at home, many unable to travel to visit older relatives abroad. There are already concerns about how the pandemic will affect the EU Settlement Scheme (the3million, 2020). These include concerns about: the effect of job losses and essential travel requirements on eligibility of applicants; the impact of social isolation and distancing on number of applications; delays in processing applications; and the lack of face-to-face outreach support targeting particular geographical locations and those in digital black spots. To ensure maximum take-up of the EU settlement scheme the Scottish Government could call for an extension to the application process or a follow-up phase of application given the delays and increased risks of non-application in the context of the COVID-19 pandemic (see Clay et al., 2019). Furthermore, a review of current outreach services (e.g. EU Citizens' Rights Project Scotland) and additional resource for remote working could be rolled out.

Applying for Settled Status

Notes

1. We advocate current calls to extend this deadline due to delays, caused by the Corona virus pandemic, in processing applications (Woodcock, 2020).
2. Settled status means the applicant has lived in the UK continually over the period of five years.
Pre-settled status means an applicant would have been living in the UK since at least 31st of December 2020. Pre-settled status holders will have to re-apply for a settled status again before the five-year deadline. Settled status holders can spend up to five years living outside of the UK, while pre-settled status holders can do so for two years without losing their legal status in the UK (UK Government, 2020).
3. Applications concluded also includes those refused (600), withdrawn (23,900) or invalid (10,000).

References

- Benedi Lahuerta, S. and Iusmen, I. (2020). EU nationals' vulnerability in the context of Brexit: the case of Polish nationals, *Journal of Ethnic and Migration Studies*, DOI: 10.1080/1369183X.2019.1710479.
- Botterill, K. and Hancock, J. (2018). Rescaling belonging in Brexit Britain- Spatial identities and practices of Polish nationals in Scotland after the UK Referendum on European Union membership. *Population, Space and Place*, 25 (1), e2217.
- Botterill, K., McCollum, D. and Tyrrell, N. (2018). Negotiating Brexit: Migrant spatialities and identities in a changing Europe. *Population, Space and Place*, vol. 25(1), e2216.
- Burrell, K., and Schweyher, M. (2019). Conditional citizens and hostile environments- Polish migrants in pre-Brexit Britain. *Geoforum*, 106, 193–201.
- Clay, T., Denselow, S., and Gripper, R. (2019). *Settled Status: What level of take-up can we expect?* NPC. <https://www.thinknpc.org/resource-hub/settled-status-what-level-of-take-up-can-we-expect/> [Accessed 12 April 2020].
- Collins, FL. and Bayliss, T. (2020). The good migrant: everyday nationalism and temporary migration management on New Zealand dairy farms. *Political Geography*, vol.80. DOI: <https://doi.org/10.1016/j.polgeo.2020.102193>.
- Duda-Mikulín, E. (2019). *EU Migrant Workers, Brexit and Precarity: Polish Women's Perspectives from Inside the UK*. Bristol: Policy Press.
- Drozdowicz, B., (2018). The impact of Brexit on inclusion and integration of Poles in the UK. In: Fleming, M. (ed.), *Brexit and Polonia: Challenges facing the Polish Community during the process of Britain leaving the European Union*. PUNO Press.
- Findlay, A., McCollum, D., Shubin, S., Apsite, E. and Krisjane, Z. (2013). The role of recruitment agencies in imagining and producing the 'good' migrant. *Social & Cultural Geography*, 14 (2): 145–167.

- Flynn, M. and Kay, R. (2017). Migrants' experiences of material and emotional security in rural Scotland: implications for longer-term settlement. *Journal of Rural Studies*, 52: 56–65.
- Gawlewicz, A., and Sotkasiira, T. (2019). Revisiting geographies of temporalities – The significance of time in migrant responses to Brexit. *Population, Space and Place*, 26 (1), e2275.
- Gilmartin, M., Burke, P., and O'Callaghan, C. (2018). *Borders, mobility and belonging in the era of Brexit and Trump*. Bristol: Policy Press.
- Guma, T. and Jones, R.D. (2018). 'Where are we going to go now?' EU migrants' experiences of hostility, anxiety and (non-)belonging during Brexit. *Population, Space & Place*, 25 (1), e2198.
- Home Office (2020a). *Media Factsheet: EU Settlement Scheme*. <https://homeofficemedia.blog.gov.uk/2020/03/19/media-factsheet-eu-settlement-scheme/> [Accessed 15 April 2020].
- Home Office (2020b). *EU Settlement Scheme Statistics: March 2020*. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/879569/eu-settlement-scheme-statistics-march-2020.pdf [Accessed 4 May 2020].
- Huber, J. (2019). EU citizens in post-Brexit UK- the case for automatic naturalisation. *Journal of European Integration*, 41: 1–16.
- Kay, R. and Trevena, P. (2018). (In)security, family and settlement: migration decisions amongst Central and East European families in Scotland. *Central and Eastern European Migration Review*, 7(1): 17–33.
- Kostakopoulou, D. (2018). Scala Civium – Citizenship Templates Post-Brexit and the European Union's Duty to Protect EU Citizens. *JCMS – Journal of Common Market Studies*, 56(4): 854–869.
- Lazar, S. and Nuijten, M. (2013). Citizenship, the self, and political agency. *Critique of Anthropology*, 33(1): 3–7.
- Lomba, S. (2010). Legal Status and Refugee Integration – a UK Perspective. *Journal of Refugee Studies*, 23(4): 415–436.
- McGhee, D., Heath, S. and Trevena, P. (2013). Post-Accession Polish Migrants – their experience of living in 'low-demand' social housing areas in Glasgow. *Environment and Planning A: Economy and Society*, 45(2): 329–343.
- McMillan, K. (2008). Changing Identities: Intercultural Dimensions in Scottish Educational Contexts. *Language and Intercultural Communication*, 8(2): 119–135.
- Page, T. (2017). Vulnerable Writing as a Feminist Methodological Practice. *Feminist Review*, 115(1): 13–29.
- Phipps, A. (2017). Language plenty, refugees and the post-Brexit world: new practices from Scotland. In: M. Kelly (ed.), *Languages after Brexit: How the UK Speaks to the World*. 95–107. Cham, Switzerland: Palgrave Macmillan.
- Piętka-Nykaza, E. and McGhee, D. (2017). EU post-accession Polish migrants' trajectories and their settlement practices in Scotland. *Journal of Ethnic and Migration Studies*, vol. 43(9): 1417–1433.

Applying for Settled Status

- Ryan, L. (2018). Differentiated embedding: Polish migrants in London negotiating belonging over time, *Journal of Ethnic and Migration Studies*, vol. 44(2): 233–251.
- Rzepnikowska, A. (2019). Racism and Xenophobia Experienced by Polish Migrants in the UK Before and After Brexit Vote. *Journal of Ethnic and Migration Studies*, 45(1): 61–77.
- Scottish Government (2018). New Scots: refugee integration strategy 2018–2022. <https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018--2022/> [Accessed 7 May 2020].
- Scottish Government (2020). *Migration: Helping Scotland Prosper*. <https://www.gov.scot/publications/migration-helping-scotland-prosper/> [Accessed 3 Feb 2020].
- Staton, B. (2020). ‘Secretive’ settled status algorithm risks discrimination. *Financial Times*, February 14th, 2020.
- The 3 Million (2020). *the3million submission to Home Affairs Committee call for evidence Home Office preparedness for Covid-19 (Coronavirus)*. http://249e1c0f-a385-4490-bfe6875269a8d3d5.filesusr.com/ugd/0d3854_7811b64bb6c449ae916b4b79842-fa1f0.pdf [Accessed 3 April 2020].
- The Guardian (2020). Applying for settled status is a fraught and humiliating process: Letters. *The Guardian* 11th September, 2019.
- Tucker, A. (2019). Managing paper trails after Windrush: Migration, documents and bureaucracy. *Journal of Legal Anthropology*, 3(2): 120–123.
- UK Government (2020). *Apply To The EU Settlement Scheme (Settled And Pre-Settled Status)*. [Accessed 12 April, 2020].
- Vargas-Silva, C. (2019). EU Migration to and from the UK. *Migration Observatory Briefing*. <https://migrationobservatory.ox.ac.uk/wp-content/uploads/2019/09/Briefing-EU-Migration-to-and-from-the-UK.pdf> [Accessed 4 May, 2020].
- Virdee, S. and McGeever, B. (2016). Racism, Crisis, Brexit. *Ethnic and Racial Studies*, 41(10): 1802–1819.
- Woodcock, A. (2020). Priti Patel urged to extend EU settled status scheme deadline in response to coronavirus crisis. *Independent*, Thursday 16th April 2020.