

IMPLEMENTATION OF THE WITHDRAWAL AGREEMENT IN FRANCE

APPLYING FOR A NEW RESIDENCE STATUS AND CARD - HOW DO THE BRITISH IN FRANCE FEEL AND WHAT ARE THEIR CONCERNS?

A FRANCE RIGHTS SURVEY, MAY-JUNE 2020



Authors: Kalba Meadows and Kathryn Dobson

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EXECUTIVE SUMMARY

- As the French government prepares to begin implementation of the Withdrawal Agreement, an online questionnaire survey was run by France Rights in order to understand how UK nationals living in France feel about going through the mandatory process of applying for a new status and card, what their specific concerns are and how these might be addressed.
- The survey included both multiple choice questions and space for open comment. It was circulated using a mixture of social media and other internet media. 2727 people responded during the 2 weeks the survey was open.
- Unlike other EU countries, France does not require EU citizens to apply for a residence card and historically few have applied. Nevertheless, 48% of survey respondents have a current residence card; this is higher than the estimated national figure (which remains below 20%) and reflects the fact that the much of the survey audience was derived from citizens' rights groups in which campaigns to encourage residents to apply for a carte de séjour have been running for 2 years.
- Over 90% of respondents in all categories were already aware of the need to apply for a new status and card. Independent media was the primary source of information, followed by France Rights and multiple sources. Neither the British Embassy nor the French Ministry of the Interior websites are well used, and an average of 90% of respondents were informed from non-embassy sources.
- Almost half of all respondents are nervous to a greater or lesser degree about the application process that lies ahead, rising to 57% of those who have no current CdS.
- 38% said that they are always nervous about dealing with officialdom or that they fear it will be too complicated, 25% are worried that they might not meet the conditions for a new status and card, in particular the genuine and effective work and self-sufficiency conditions.
- 16% of respondents have IT concerns, rising to 25% of those over 65 who don't have a current carte de séjour. These are significant percentages and we strongly recommend that such concerns are taken seriously by the French government.

- For over three quarters of those who are nervous to a greater or lesser degree, the key to feeling less nervous is having access to clear and detailed information, in English. The importance of detailed, legally correct information cannot be overstated in reducing uncertainty and anxiety. Anxiety and stress are likely to lead to mistakes being made in the application process and therefore good information should also have a role in reducing the percentage of failed or incorrect applications. In a constitutive system - where a failed application can lead to loss of residence status - this is vital.
- Lack of reassurance, communication and information from official sources has done little to bolster confidence and has been instrumental in raising anxiety levels. We recommend that this is addressed via the instigation of a robust communication plan by both the British Embassy and the French government.
- 16% of respondents have specific concerns arising from COVID. We recommend that this should be reflected in a generous and flexible approach to applications by the French government and in advice given to préfetures on dealing with applications.
- Only around a quarter of respondents were aware of the existence of the UK National Support Fund, and respondents generally do not have confidence that the funded organisations will meet the needs of those in France in need of help and support with their applications. In particular there is concern about the arbitrary geographical nature of the availability of support from funded organisations.
- Each departmental préfeture will be responsible for processing online applications for the new status and card; our analysis of one region (Nouvelle-Aquitaine) raises questions about whether this can and will be carried out justly and fairly across all departments to ensure that individuals are treated equally across the country.

INTRODUCTION

A survey of British citizens living in France was undertaken by France Rights in May 2020. The aim was to understand, as the French government prepares to launch its new online application system, how people in different situations and economic categories feel about going through the process of applying for a new residence status and card under the Withdrawal Agreement and whether they have any particular worries or concerns.

The survey was carried out using free tools (Google Forms) and was anonymous. It was circulated using a mixture of social media (including the France Rights and British in Europe Facebook pages as well as other Anglophone Facebook pages and groups) and other internet media (including the France Rights news blog and 'The Local' France). Those with dual UK-French nationality were not covered by the survey as although there remain some issues around how they will evidence their right to be beneficiaries of the Withdrawal Agreement, their residence status in France will not depend on holding a *carte de séjour*.

The questions were a mixture of multiple choice questions and space for open comment. 2727 people responded during the 2 weeks the survey was open, with some also speaking for spouses, partners and family members. It is worth bearing in mind that the survey was carried out during the release from Covid confinement. Those returning to work or restarting businesses may therefore be under-represented given competing time pressures.

France Rights is a citizens' rights platform for British nationals living in France, focusing on information provision, monitoring and advocacy related to the implementation of the Withdrawal Agreement. It represents and is closely aligned with the pan-European campaign and advocacy group British in Europe, of which it is a core member. The survey was run by France Rights' co-founders, Kathryn Dobson and Kalba Meadows, who are both members of the British in Europe steering committee.

PART 1: SUMMARY OF RESULTS

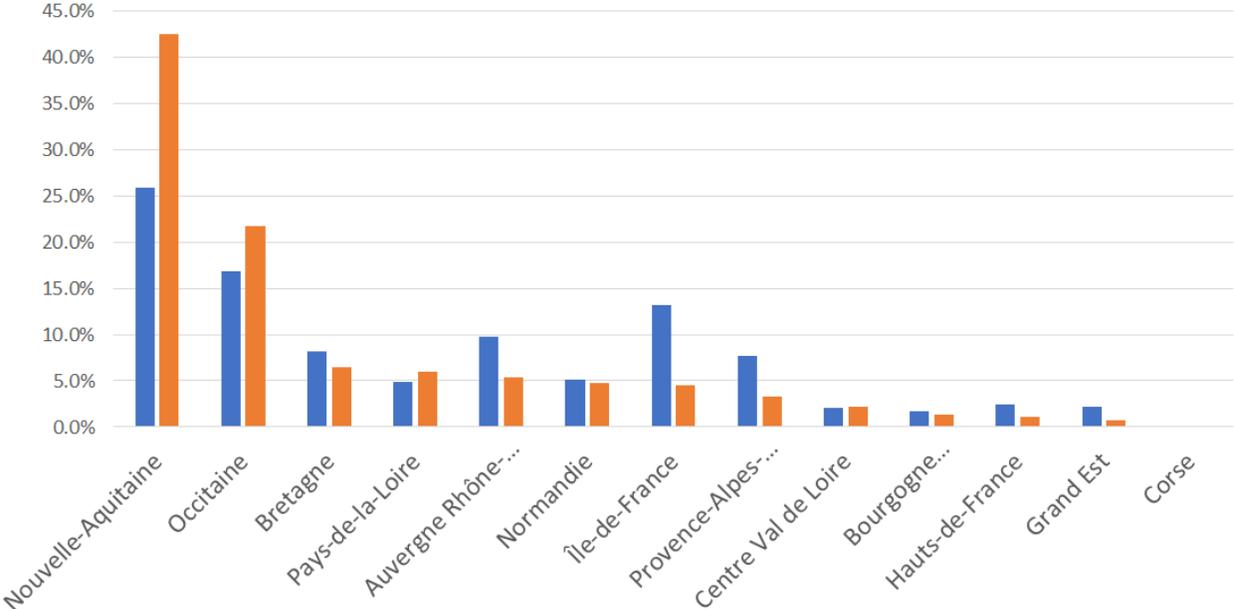
1. WHO WERE THE RESPONDENTS?

Numbers and reach

Assuming a British population in France of between 150,000 and 200,000 the 2727 responses to the survey make it statistically relevant, with a 99% confidence level and 3% margin of error.

A comparison of the results by region show a correlation with the distribution of British nationals in France, albeit with an over-representation of responses from the regions of Nouvelle-Aquitaine and Occitanie and an under-representation of responses from Ile de France. This is indicative of the current reach of France Rights which has historically struggled to reach the business communities of Ile de France.

Survey responses by region (blue) vs INSEE UK national figures by region (orange) as % of total population

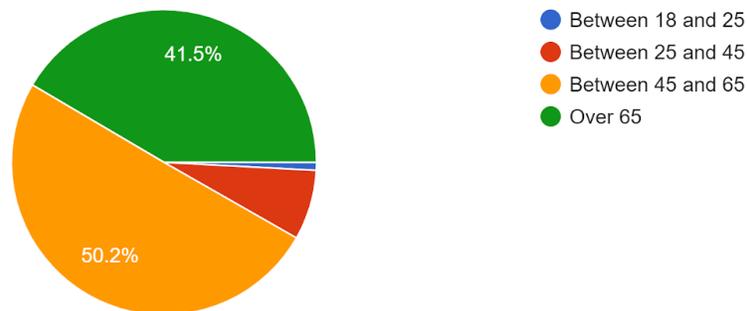


Age and gender

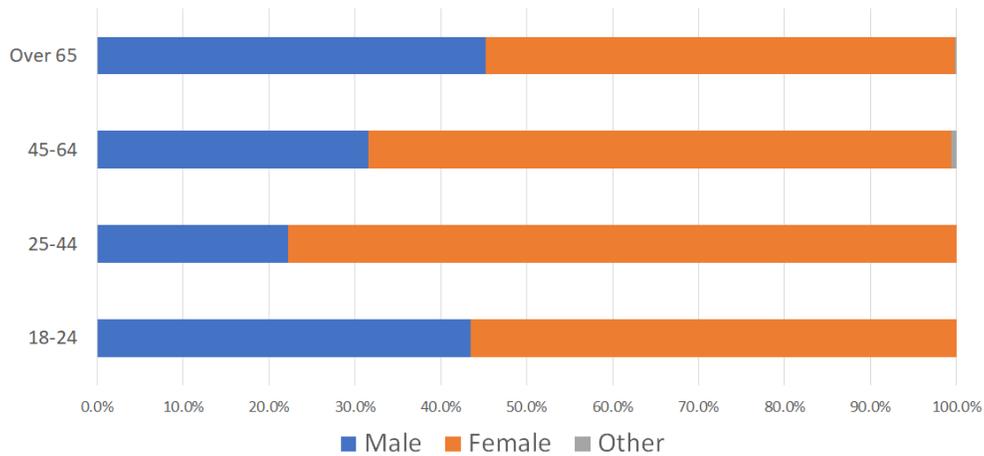
63% of respondents were female. Comments in other parts of the survey suggest that in many households the female partner takes responsibility for dealing with bureaucracy.

50% of respondents were aged between 45 and 64, with another 41% aged over 65. This is not representative of the overall population of British nationals in France; rather it represents the demographic most likely to follow France Rights, Anglophone social media and the Anglophone media where the survey was published (Living Magazine, The Local France). One group that is clearly under-represented is young adults. This, we suggest, may be for a number of reasons, including their preference for newer media channels, lack of connection with the subject matter and integration into French-speaking communities. Many have grown up in France, live in metropolises and do not visit English-language information sites. Furthermore, parents are key in ensuring administration is completed especially as residency is not a topic they are familiar with.

Are you aged:
2,727 responses



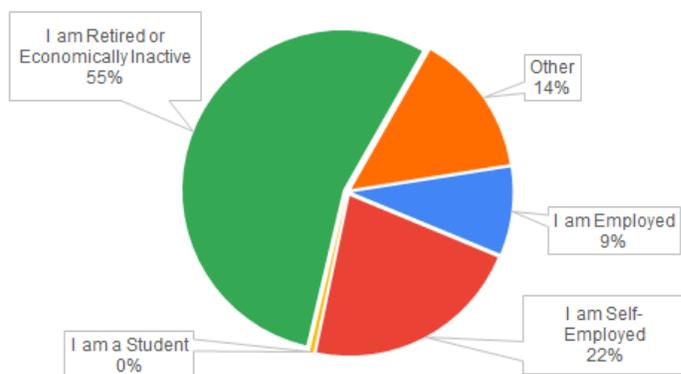
Age/gender



Economic/residence category

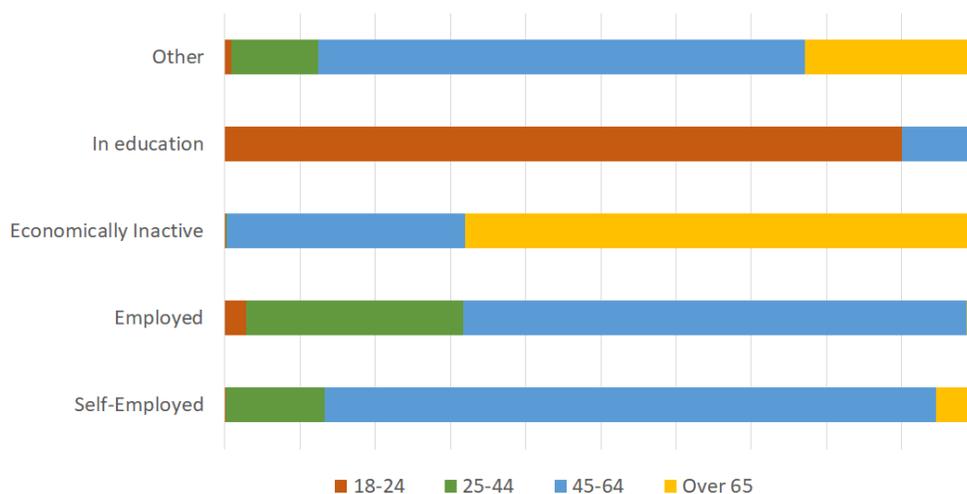
Respondents were asked to identify the category under which they are currently legally resident in France. Given the high representation in the results of those over 45, it is not surprising to see that 54% of respondents are retired or otherwise economically inactive. This also reflects our understanding, from previous work we have done since 2017, that there are greater levels of concern about applying for a *carte de séjour* amongst those in this category. However, it is important to recognise that the survey had fewer respondents based in cities who are more likely to be economically active.

Within the employed category, just over 10% of respondents are employed on special statuses such as *intermittents de spectacle*, *fonctionnaires*, EU officials and posted workers.



The 'other' category includes: spouse or partner of French citizen; UK citizen who is also a citizen of another EU state; registered as unemployed; family member.

Economic Group by age (%)

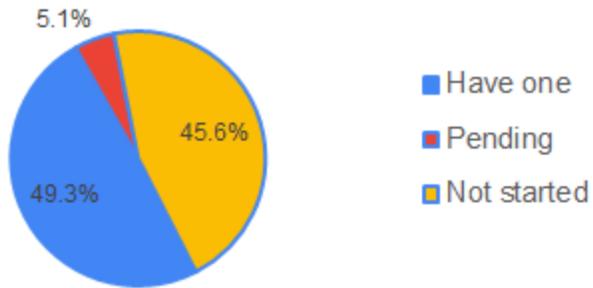


12% of respondents have dependent children living at home, while a further 5% have dependent children studying away from home. The majority of the latter are studying elsewhere in France but over a third have dependent children currently living in the UK, other EU countries, the USA or Australia.

Current Carte de Séjour (CdS) status

Since 2002 it has not been compulsory in France to register for residence or apply for a CdS as an EU citizen; historically only a very few British residents have applied. Following the referendum both France Rights and the British Embassy strongly encouraged British nationals to apply, but although firm figures are not available less than a fifth are believed to have done so. Given that the audience for this survey was to a large degree derived from citizens' rights groups, ie those already showing an interest in the topic, it is not surprising that the results report higher levels of CdS applications.

CdS Status

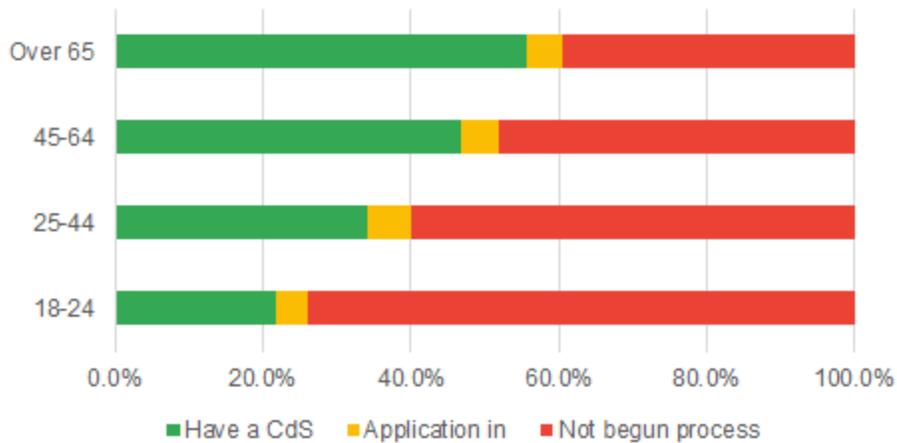


1348 survey respondents (49% of the total) have a current CdS; two-thirds of those hold a 10 year CdS permanent while a third hold an initial 1 or 5 year card.

Of those that have not started the process, 16% have an expired card while the remaining 84% have not begun the application. Of those that are pending, 48% of applications are held up at the préfecture while 52% have applied through the no-deal portal.

Applications by age group are broadly as expected, increasing with age.

CdS application status by age

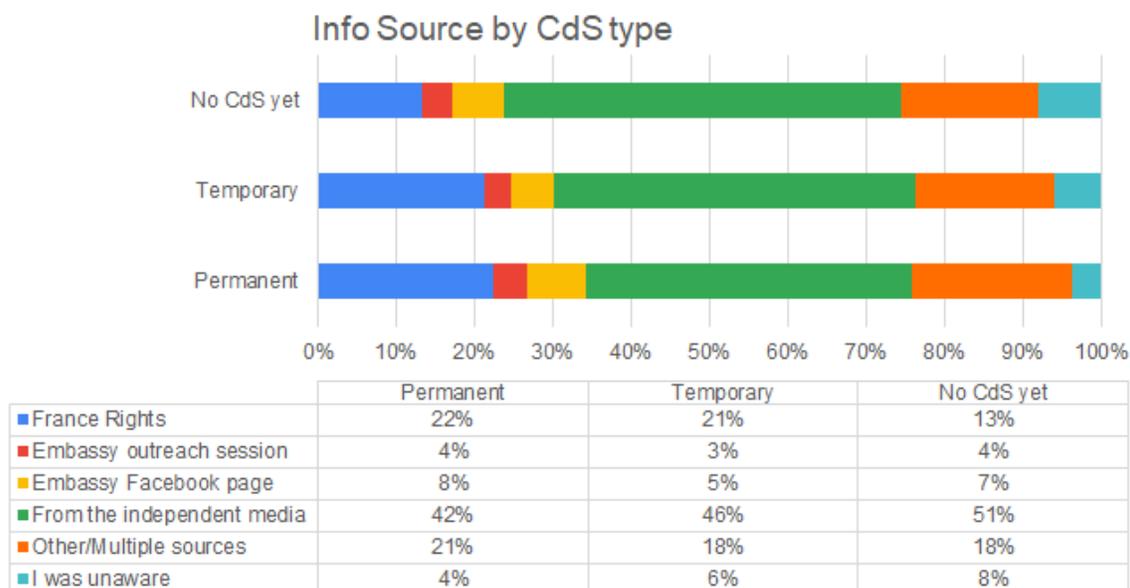


2. CURRENT KNOWLEDGE

The survey asked whether the respondents knew that they would have to apply for a new status and CdS under the Withdrawal Agreement, and if so how they had found this out.

Over 90% said that they were already aware of this, with the highest percentage (95.4%) being those who hold a CdS permanent and the lowest (91.4%) those without a CdS. (Again, note that the survey audience derived from citizens' rights groups so this will be higher than in the general British population).

Across all the CdS categories more people had learned this from independent media sources than anywhere else - between 42% and 51%. One fifth of all those holding a current CdS had found out directly from France Rights, while 13% of those with no CdS had found out in this way. Only 8% to 12% had learned this from the Embassy's Facebook page or from attending an Embassy outreach session.

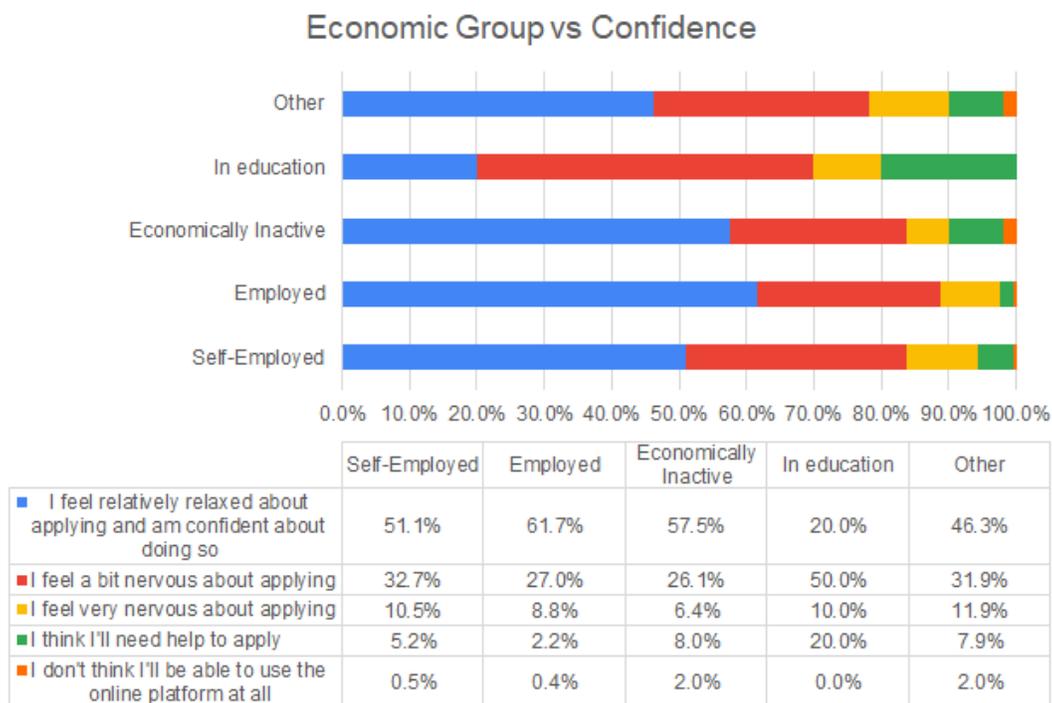


3. HOW DO PEOPLE FEEL ABOUT APPLYING?

All respondents were asked the following question:

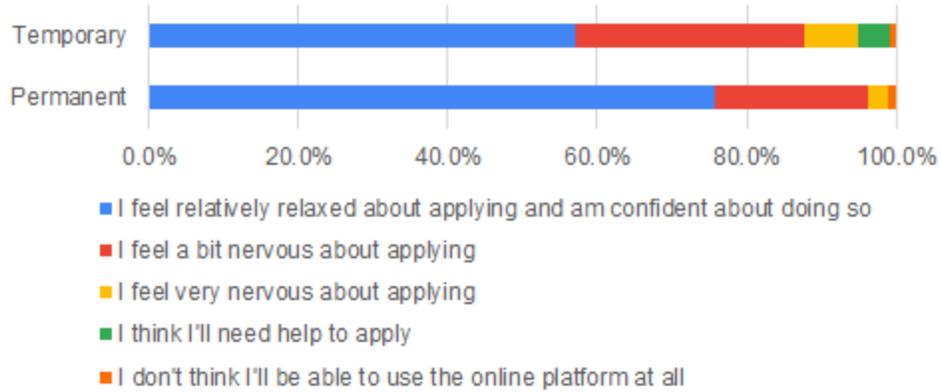
“Thinking about having to apply for a new card when the online platform is launched in July, how are you feeling about applying? (Please tick the box that describes most closely how you feel right now - you'll be able to expand on your answer in later questions).”

While a small majority (55%) of respondents feel relatively relaxed about applying and confident about doing so, 45% are nervous, very nervous, may need help to apply or don't think they'll be able to use the online platform at all.

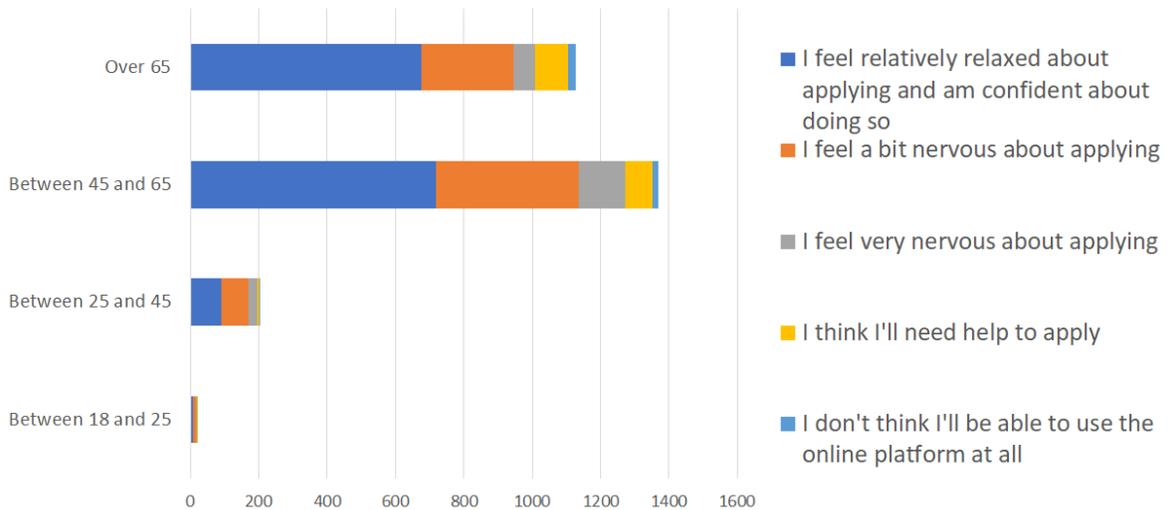


Those with a current CdS feel more confident than those without one, with those holding a CdS permanent being the least nervous, while 10% of those without a CdS think they may need help in applying (against just 2.7% of those with a CdS permanent and 4% of those with a 1 or 5 year CdS).

Temporary vs Permanent CdS and impact on Confidence



Age vs worries(actuals)



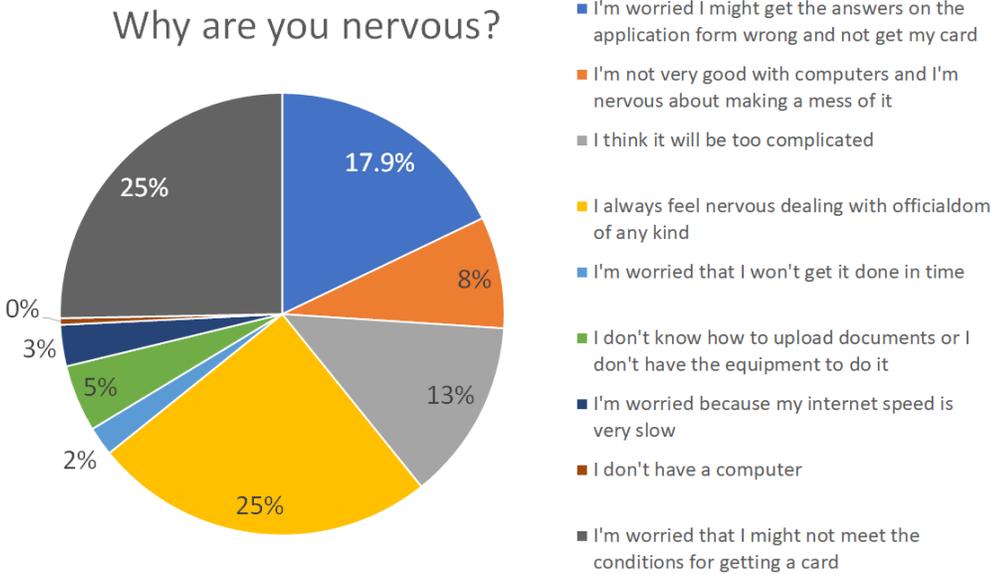
Rather surprisingly, confidence in ability to complete the CdS application process *increases* with age, with 60% of those 65 or older feeling confident as opposed to only 35% of 18-24 year olds. As this follows the same curve as the number of those holding a CdS sorted by age, it is possible that the two are related.

Those who are employed or economically inactive are more confident than those who are self-employed, while only 20% of those in education say that they feel confident.

Across all the categories, 8% of respondents think they'll need help to apply or don't think they'll be able to use the online application platform at all. Assuming this figure to be both relevant and reliable, and assuming a population of resident British nationals of 150,000, this could lead to 12,000 people needing help - a very worrying number.

4. WHAT DO PEOPLE FEEL NERVOUS ABOUT?

Those who had responded that they were nervous, very nervous, would need help or felt unable to complete the process at all were given a further question, asking them to choose one of 9 sentences that most closely represented their concerns. They were then invited to add their own comments.



38% said that they are always nervous about dealing with officialdom or that they fear it will be too complicated: one respondent commented that “fonctionnaires and easy procedures are not common bedfellows here”. Comments show that such fears are often based on prior

experience, for example of using the French driving licence exchange website, which was beset with difficulties and delays for many months; or of applying for a Carte Vitale (healthcare card) and waiting for months or even years to receive it. There are real fears that the application system will not be properly tried and tested, or that it will become “overloaded and gridlocked”. Another common fear, also frequently based on experience, is that préfectures will “make things difficult” or “treat applications differently across France”. One person said “I’m not confident that the French will follow their own rules”, a type of comment that appeared a number of times. For others, the issue is a fear of the unknown rather than the known.

Across the categories, 16% of respondents have IT concerns: they don’t know how to upload documents or don’t have the equipment to do it; they are worried because their internet speed is very slow (a common issue in rural France); or they are simply not confident with using a computer. Many have all these concerns. 25% of those over 65 who don’t have a current CdS have specific IT worries - this comment from a respondent in that category is typical: “I am already losing sleep over this, and can’t afford a new computer”.

A quarter of respondents said that they are worried that they might not meet the conditions for acquiring a CdS (ie the conditions for legal residence). Those selecting this response were asked a supplementary question - see the following paragraph.

5. WORRIES ABOUT MEETING THE CONDITIONS FOR GETTING A NEW CARD

Of all those who report feeling some degree of nervousness, 25% are most concerned that they may not get a new CdS because they don’t meet the conditions for legal residence as required by the Withdrawal Agreement.

Those choosing this as their main reason for concern were then asked to select one of the following categories that most closely represented their specific concern. They were then invited to add their own comments.

Other (please say more below)	32%
I only have a very small part-time job or business and I'm not sure that it will be treated as 'proper' work	23%
I'm retired and I'm worried that my income is too low to qualify for a card	15%
I live on capital but don't have any income	9%
I'm not retired but I don't work and I'm not a student, and I'm worried that my income is too low	7%
I am (or have been in the last 5 years) in receipt of RSA	4%
I am currently unemployed	4%
I've spent a lot of time out of France in the last year or more	4%
I am an intermittent de spectacle	1%
I have recently graduated and am still looking for work	0%

Almost two-thirds of the responses fall into the most problematic legal residence-related issues:

- 35% are concerned by the 'sufficient resources' condition;
- 23% are concerned by the 'genuine and effective work' condition;
- 4% are concerned that they may not meet the rules on 'continuity of residence'.

Other specific concerns noted from comments include:

- Irregular income, eg artists, authors, musicians;
- Non standard situations, eg low earnings from UK company topped up by dividends;
- Lack of a permanent address, eg those who are housesitters or caretakers;
- Living in a mobile structure, eg a yurt or mobile home, or on a boat.

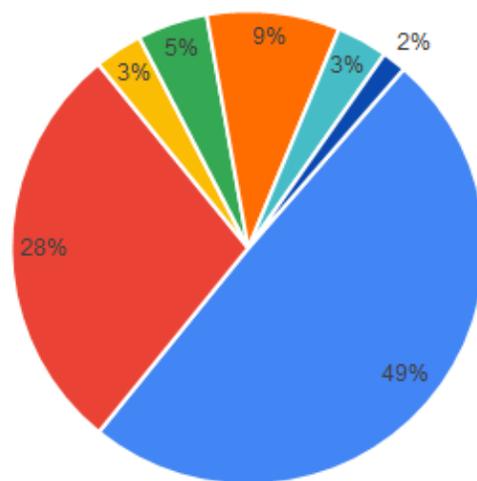
6. WHAT WOULD HELP PEOPLE FEEL LESS NERVOUS ABOUT APPLYING?

All those who had responded that they were nervous, very nervous, would need help or felt unable to complete the process at all were then asked this further question:

“What, if anything, do you think might help you feel less nervous about applying for your new card?”

They were asked to choose one from a list of 7 things and were also invited to add their own comments.

What would help you most?



- Having clear information about what to expect and how to complete every stage of the application form
- Having information in simple English about what conditions you need to meet and how to meet them
- Talking to someone like you who's completed the form successfully
- Having somewhere you could go to ask questions about how to complete the form
- Having someone sit with you to help you complete the form
- Having somewhere you could go to use a computer and get support to complete the form
- Going to a local help/support session where everything could be explained

49% cited 'having clear information about what to expect and how to complete every stage of the application form, while another 28% would find it helpful to have 'information in simple English about the conditions you need to meet and how to meet them'.

The remaining 23% of responses fall into the 'having somewhere to go' category.

The implications here are startlingly clear: **for over three quarters of those who are nervous to a greater or lesser degree, the key to feeling less nervous is having access to clear and detailed information, in English.** Information removes much of the uncertainty and therefore makes the process less frightening as people know what to expect. In the comments section people have highlighted having step by step instructions of how to apply, screenshots of the blank application form, and detailed information about the conditions to be met across the different residence categories.

The information currently provided by France Rights (website, news update blog and Facebook page) was cited by many respondents as 'helpful', 'essential' and 'model' and it is clearly trusted to be legally correct. On the other hand the information so far provided by both UK and French governments was felt to be 'basic', 'woefully lacking in content' and 'not always correct'. Yet the appropriateness and quality of the information provided to British nationals will clearly be a crucial element to the success (or otherwise) of the implementation of the Withdrawal Agreement in France.

This raises important questions about how people will be informed in the way that they wish and need to be over the application period, with a huge expectation placed on France Rights as an unofficial and unfunded voluntary group.

7. THE UK NATIONALS SUPPORT FUND ORGANISATIONS

Although the operation of the Fund and its organisations remains at an early stage, all organisations are up and running with websites and social media pages so we wanted to get an idea of how many people are so far aware of the Fund and its remit in France.

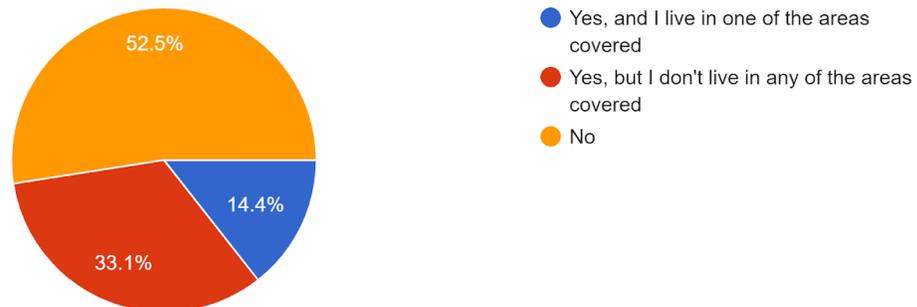
Were you aware of any or all of these organisations before reading this section? Please tick one box, but if you'd like to say more you can do so at the end of this section

2,727 responses



Would you be interested in getting help to apply for your new carte de séjour from one of these organisations if it were available?

2,727 responses



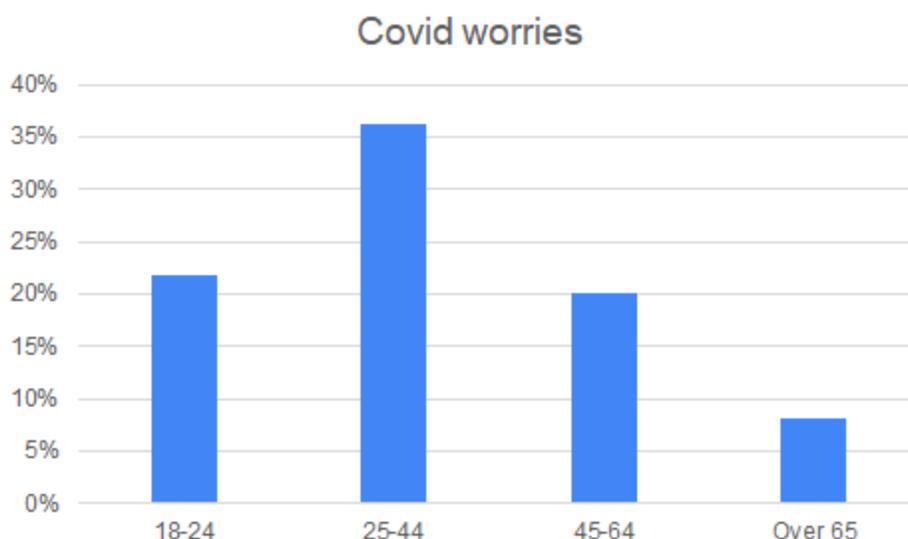
The responses show that almost three quarters of British nationals were unaware of the existence of the Fund, while a third would be interested in getting help from a funded organisation but live in an area not covered. Just 14% express an interest in receiving help and live in one of the areas covered.

265 people made further comments. Two thirds of these are generally critical of the way the Fund has been set up and is operating in France, with particular criticism reserved for its limited geographical coverage. The overall sense is that help and support should be available to all those who need it regardless of where they live. There were also a number of comments relating to the experience and expertise of the funded organisations.

8. THE COVID-19 HEALTH CRISIS

All respondents were asked whether the Covid-19 crisis had given them any new or specific concerns about applying for your new carte de séjour, in a binary question followed by the opportunity to comment.

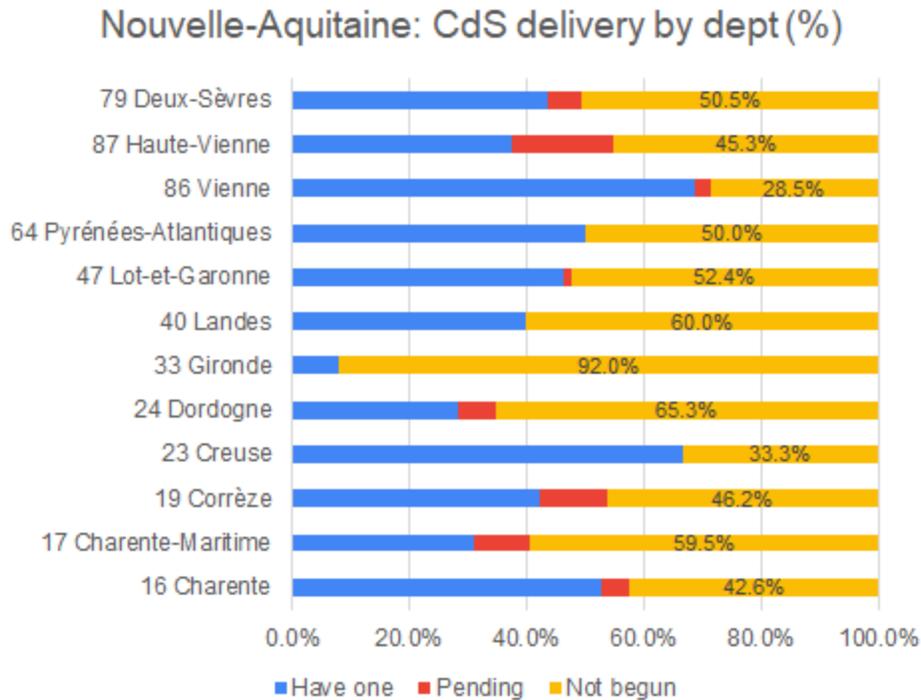
16% of respondents said that they did have specific Covid-19 related concerns, with the greatest proportion aged between 25 and 44 - those most likely to be economically active and in particular self-employed.



Two thirds of these respondents across all age groups commented that their income had decreased or that their business had been unable to operate. Others highlighted fears of visiting their préfecture (usually in a busy town and often at considerable distance) because of health vulnerabilities, concerns about Covid-related delays in launching the application scheme, and préfecture staff still being diverted onto Covid work and therefore delays in processing applications. For many respondents Covid-19 had raised their overall anxiety level, as a result of which they now feel more anxious about and stressed by everything: as one person commented “We have enough to worry about with Covid without worrying about our status in this country as well”.

9. NOUVELLE-AQUITAINE - CASE STUDY OF A REGION

It has long been recognised that each department has processed residency applications at different rates, using different processes, even using different criteria. Whilst we do not have visibility of the criteria, with 1142 respondents living in Nouvelle-Aquitaine, the survey was able to look at the numbers per department to see the impact of the differing processes.



The department with only 8% processing rate (Gironde 33) had very few, if any, available appointments to begin the registration process. The department that had the greatest processing rate (Vienne 86) worked closely with one of the authors of this survey to implement a streamlined process that was well communicated to the British community. The disparity between departments has led to a great deal of frustration - to date it really has been a postcode lottery. Individual préfectures will be responsible for processing online applications for the new status and card; the analysis of this region clearly raises questions about whether this can and will be carried out justly, fairly and equally across all of the 101 departments (96 mainland France, 5 overseas) of France.

PART TWO: WHAT CAN WE DRAW FROM THE SURVEY?

SOME CONCLUSIONS

1. HOW WELL INFORMED ARE BRITISH NATIONALS?

- The survey results suggest that respondents are well informed about the need to apply for a new residence status and card under the Withdrawal Agreement (over 90% across all categories already knew of this).
- We do however need to exercise caution in assuming this extends to all British nationals living in France: it is very unlikely to be a true reflection of the knowledge of the most vulnerable residents, of those who are not regular internet users or of those who do not follow Anglophone media and social media.
- Comments made in the survey also show that many respondents do not yet have an understanding of the detail: for example, of how applications will be made, of when they must be made and the deadline for making them, and of how they will be processed.

2. THE ROLE OF INDEPENDENT MEDIA AND OF FRANCE RIGHTS

- A significant percentage of people learned of the need to apply for a new residence status and card from independent media sources (41% of those with a CdS permanent, 46% of those with a 1 or 5 year CdS, 50% of those without a CdS).
- More than a fifth of all those holding a current CdS learned of the need to apply for a new status and card from France Rights. In reality this figure is likely to be considerably higher, as France Rights has regularly authored articles in various media sources eg Living, The Local, PO Life etc.
- Very few respondents said that they had used the French Brexit website.
- Only 8% to 12% across all categories had learned of the need to apply for a new status and card from the Embassy's Facebook page or from attending an Embassy outreach session.

- An average of 90% of British nationals are therefore being informed from non-embassy sources.
- These low numbers suggest that neither the Embassy nor the French Ministry of the Interior are so far succeeding in reaching British nationals or providing the information they need, and that both would benefit from a more comprehensive and robust communication plan which makes better use of independent media.

3. BRITISH NATIONALS ARE NERVOUS

- Almost half of all respondents are nervous about the application process that lies ahead, rising to 57% of those who have no current CdS.
- For many, their anxiety stems from fear of the unknown, while for others it is based in a general fear of French bureaucracy or experience of using other French online platforms.
- Many people retain poor experiences of using the French government's ill-fated driving licence website or of exceptionally long delays applying for their Carte Vitale; as a result they find it hard to trust that this new online application platform can work without hitch.
- Lack of reassurance, communication and information from official sources has done little to bolster confidence and has been instrumental in raising anxiety levels.

4. THE IMPORTANCE OF INFORMATION

- Over three quarters of all those who are nervous about applying say that the key to helping them feel less nervous is the provision of clear information on both the application procedure and the conditions to be met to be granted the new status.
- This raises the important question of how this information should be provided and by whom.
- The information provided on the French government Brexit website in relation to the short-lived no-deal application portal was very basic indeed and did not provide sufficient detail to help people understand the process on which they were embarking.
- No information website was produced by the FCO or embassy; the UK government's 'Living in France' guide did not include application information.
- There seems to be a sense at official levels that British nationals do not want or need detailed citizens' rights information. Our experience as France Rights and British in

Europe suggests differently: during the period following the no-deal ordonnance and decree in 2019 the France Rights website - which contains highly detailed and legally correct information - was consulted by up to 12,000 unique visitors per week. Feedback consistently showed that for many people it was (and remains) their sole source of trustworthy information.

- Similarly, the recent detailed British in Europe explainer articles on the Withdrawal Agreement and the Guidance Note are widely acclaimed and regularly consulted by British nationals across the EU, including in France.
- By way of comparison, in the UK there is a wealth of detailed public information available to EU citizens on applying for settled status, from government, local government and NGO sources.
- The importance of detailed, legally correct information cannot be overstated in reducing uncertainty and anxiety. Anxiety and stress are likely to lead to mistakes being made in the application process and therefore good information should also have a role in reducing the percentage of failed or incorrect applications. In a constitutive system - where a failed application can lead to loss of residence status - this is vital.
- Although France Rights will be adding specific information on the application procedure and the conditions to be met to its website as soon as that information is available, this is a vital function that should not simply be left to unfunded organisations.

5. IT CONCERNS

- Across the categories, 16% of respondents have IT concerns: they don't know how to upload documents or don't have the equipment to do it; they are worried because their internet speed is very slow (a common issue in rural France); or they are simply not confident with using a computer. Many have all of these concerns.
- 25% of those over 65 who don't have a current CdS have specific IT worries.
- These are significant percentages and we strongly recommend that such concerns are taken seriously by the French government. Reassurance is needed that those genuinely unable to complete an online application can be offered an alternative means of applying for their status and CdS.
- Once again, the constitutive nature of the scheme being applied in France makes this absolutely crucial if people are not to find themselves without status.

6. COVID-19 CONCERNS

- 16.3% of respondents have specific concerns arising from COVID. This should be reflected in a generous and flexible approach to applications by the French government and in advice given to préfectures on dealing with applications.

7. THE UK NATIONALS SUPPORT FUND

- Respondents generally do not have confidence that the funded organisations will meet the needs of those in France in need of help and support with their applications.
- They consider the Fund to be 'unfairly allocated', to have 'limited coverage' and to be a 'postcode lottery', and are unsure about the expertise of the funded organisations.
- There were also a number of comments about the remit of the funded organisations in terms of dealing with complex cases needing specific personal advice rather than simply form-filling assistance. If such individual advice is outside the remit of the funded organisations, where will those in need seek such advice and at what cost?

Kalba Meadows and Kathryn Dobson

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June 2020

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