

## The situation of Polish citizens in the British social security system – the results of research by Professor Simon Roberts

ANTONI KOLEK

PhD Candidate, Faculty of Journalism and Political Studies of the University of Warsaw

**SUMMARY:** *The paper presents conditions of the situation of Polish nationals in the British social security system since Polish accession to the European Union. It presents an analysis of statistical data showing the structure of immigrants to Britain after the borders were opened to workers from the “new” EU Member States. The development also includes a representation of the conditions that are imposed on immigrants in order for them to receive such benefits as British State Pension and Child Benefits. The article is based on a lecture by Prof. Simon Roberts delivered at an international conference entitled “Re-emigration of Polish citizens – legal and social issues”, which took place on 5 September 2014, at the Andrzej Bączkowski Centre for Social Dialogue.*

**KEY WORDS:** *social security, Polish citizens in the UK, benefits, contributions, Simon Roberts*

### Introduction

On 5 September 2014 in the Andrzej Bączkowski Centre for Social Partnership “Dialogue” there took place an international academic conference titled “Re-emigration of Polish citizens – legal and social issues”. The conference was part of the project *Free Movement of workers and Social Security Coordination* (FreSsco) and was organized by the Institute of Labour and Social Affairs and the University of Warsaw. The conference brought together over 100 participants representing leading academic centers in Poland, representatives of NGOs, judges, social partners and delegates of central offices dealing with re-emigration. Among the participants there were also speakers from other countries. One of them was Prof. Simon Roberts, an Honorary Associate Professor at the School of Sociology and Social Policy, University of Nottingham. He has 20 years experience of applied social research. He has wide experience in designing and managing large-scale national and international qualitative and quantitative projects, many of which have combined the two approaches. Before joining the University of Nottingham, he was Assistant Director/

Acting Director at the Centre for Research in Social Policy at Loughborough University.

### Accession and Free Movement

Prof. Simon Roberts summarized the 10 years of Polish membership in the European Union, referring to the issues of migration and the situation of migrants and also presented statistical data from the National Bureau of Statistics of the United Kingdom. After the accession of new Member States to the EU in 2004, the United Kingdom and Ireland, as well as Sweden, have granted the right of free access to their labor markets to Polish employees and citizens of other countries falling into the category of the so-called “new” Member States of the European Union. Polish citizens could freely take jobs in the United Kingdom, without having to obtain a work permit. At the same time according to the Accession Treaty of 2004, the EU countries could keep a register of workers and immigrants. In Britain they must – apart from certain exceptions – register under the National Worker Registration Scheme (Ministry of Internal Affairs 2008). Under this system, citizens of Poland and other ‘new’

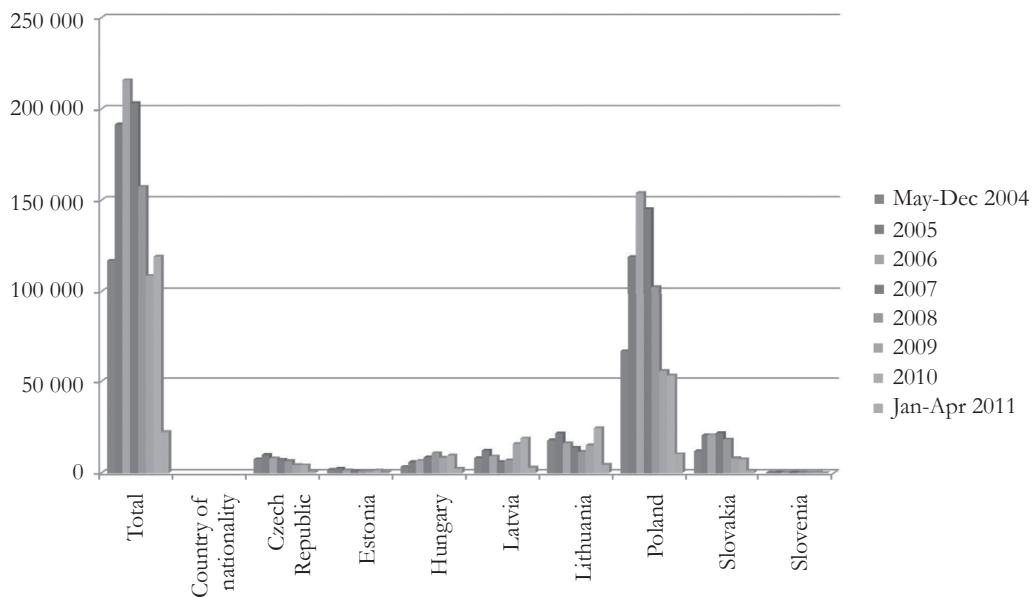
Member States are obliged to register when they intend to work in the United Kingdom for more than a month and thus obtain a certificate to prove that they can legally work. This certificate shall lose validity when they are without work during the first 12 months.

The presented data show that after 2004 Polish migrants were the largest national group coming to the UK and accounted for nearly 2/3 of all immigrants. The largest number of immigrants – more than 200,000 people a year – crossed the border into the UK in the period 2005–2007, the least in 2009,

which was related to the global economic crisis. Most Polish migrants appeared in the UK in 2006, i.e. approx. 150,000 people, the least in 2010 – about 50,000 people. It should be noted that these were the largest flows of population from all new EU countries.

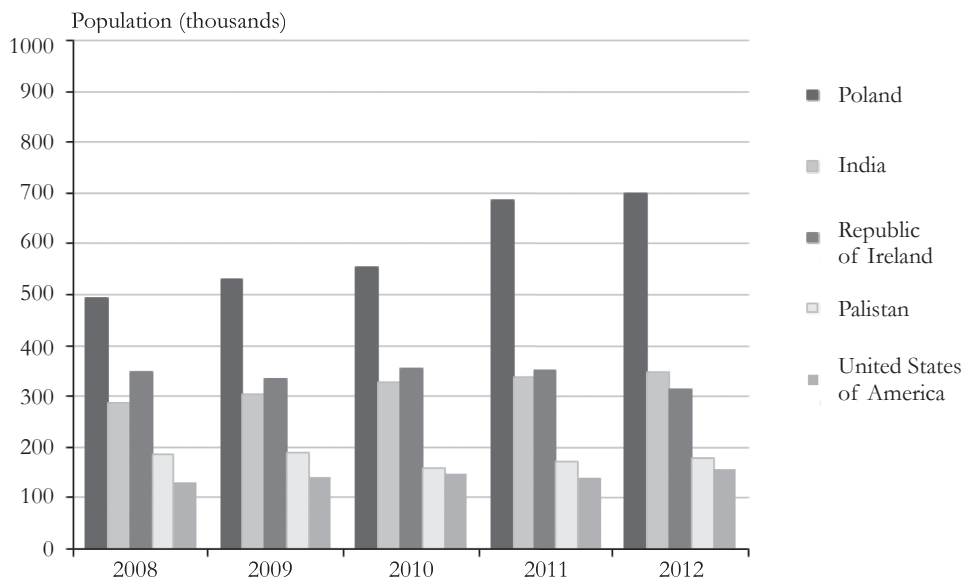
Prof. Simon Roberts emphasized that the data shows that during the analyzed period of time, it was more often men rather than women that flocked to the UK. Analyzing the structure of migrating population with respect to the age groups, most strongly represented age groups were 18–24 years –

Chart 1. *Worker Registrations Scheme – Country of Nationality*



Source: Worker Registrations Scheme – Office for National Statistics ([www.ons.gov.uk](http://www.ons.gov.uk)).

Chart 2. *The five most common nationalities in the UK since 2008 to 2012*



Source: Annual Population Survey (APS) – Office for National Statistics ([www.ons.gov.uk](http://www.ons.gov.uk)).

42.9%, and 25–34 years – 37.8%. Least immigrants were in the age group over 65 years – 0.02% and below 18 years – 0.5%. Among the immigrants coming to Britain in the years 2004–2011, most people declared their stay in the host country to be of less than 3 months, and there was also a significant group of people declaring that they do not know how long they will stay. Taking into account the economic sectors where migrants are frequently employed, which include hospital work, tourism, food-processing, but also the medical professions and “quasi-medical professions”.

In 2012, the largest group of people returning to their countries after a period of residence in the United Kingdom were Hindu (16%), Chinese (12%) and Poles (10%). It should also be emphasized that since 2008 Polish immigrants have been the largest national group living in the UK – around 700,000, while Indian people are just over 300,000 people, whereas the Irish amount to around 300,000 people, Pakistanis to about 270,000 people, and the Americans to about 250,000 people.

### **Social Security and Housing**

Prof. Simon Roberts pointed out that despite popular belief immigrants from the Eastern Europe Area are, in fact, applying for the social security benefits less frequently than the British. The most commonly submitted applications involve the requests for care services with childcare costs, which are envisaged to enable them to take up work and continue being working parents. As of December 31, 2013, pursuant to the Regulation No 883/2004 slightly more than 20,000 allowances for children have been collected, out of which about 13,000 were granted to Polish migrants. Also, it requires to be further stressed that most immigrants need to find accommodation in the private rented sector as they are frequently not eligible for social housing. This means that the British owners of properties will receive payment from migrants for leasing out to them their flats and house which accounts for a very important source of income for many British citizens.

The citizens of Poland and other “new” Member States that joined the EU in 2004 have no right to reside in the territory of the Common Travel Area when traveling as jobseekers. Their right of residence depends

on their economic self-reliance, which is a prerequisite for obtaining such rights (Article 4 (3) of the Accession Regulation of 2004 and the Directive 2004/38/EC). Polish economically inactive citizens, such as students, pensioners and those caring for the child, are all to be treated in the same manner as other EEA citizens and their right of residence is based on the possession of “sufficient resources” to avoid becoming a burden economically and socially for the public funds.

### **Pensions**

The right to acquire the full British State Pension after reaching retirement age is going to change due to the fact that, from 6 April 2016, in the United Kingdom there will apply new rules governing the method of calculating the retirement age. Under the past practice, the retirement age was 65 for men and 60 for women. Another condition for receiving state pension is to develop appropriate seniority, i.e. an appropriate number of years of tax returns. Under the new rules it will become strictly required to pay premiums for at least 10 years of age to apply for a new State Pension. The full amount of the new State Pension will be at least £ 151.25 a week. It is worth to compare it with the relevant data on the number of people receiving the benefit. The total number of pensions as of February 2014 was 198 thousand and the average weekly amount of pension amounted to 73 pounds.

### **Child Benefits**

Child Benefit is granted to an adult under whose custody of a child or children up to the age of 16 (or longer, if continuing a full-time education). The amount of Child Benefit is not dependent on the earnings and savings of the guardian – it is 20.30 pounds per week for the first child and 13.40 pounds per week for each additional child. In order to obtain Child Benefit is that the child and the person applying for it are resident in the UK (the claimant does not have to be a parent of a child), and the person applying for Child Benefit must meet the above conditions related to legal employment and residence in England. Child Benefit is a tax-free provision of financial aid, which aims to help parents with childcare in the UK. Her Majesty's Re-

venue and Customs (HMRC) holds information on the number of child benefit awarded under EC Regulation 883/2004. As of 31 December 2013, there was 20400 ongoing Child Benefit awards under EC Regulation. In respect of 34268 children living in another Member State.

### Restrictions to benefits

The UK Government has introduced a raft of measures to further restrict the access to social security. In December 2013, the government introduced “stronger and more robust” Habitual Residence Test for those claiming means-tested benefits. Moreover, from 1 January 2014 people coming to the UK must have been living in the UK for at least three months before they can claim income-based jobseeker’s allowance. Furthermore, Eastern European Area job seekers or former workers will have to show that they have a “genuine prospect of finding work” to continue to get a jobseeker’s allowance after six months. As yet another step, a new minimum earnings threshold has been introduced to help determine whether the Eastern European Area migrant is or was in “genuine and effective” work, and, as a consequence, has the “right to reside” as a worker or self-employed person. Other restrictions apply from 1 April 2014 to new Eastern European Area job seekers, who have been prevented from accessing housing benefits even if they are in receipt of the basic jobseeker’s allowance.

### Conclusions

To summarize, one should clearly emphasize two major issues. Firstly, citizens of the “new” EU Member States have made tremendous contributions to the state budget: citizens of the ‘new’ Member States, who represent about one in 300 people in the UK, however, between May and September they paid about 120 million pounds against British GDP and paid about 20 million pounds in taxes and warehouse insurance.

Secondly, the citizens of the ‘new’ Member States have not only paid a significant amount in taxes and contributions, but only one percent of the citizens from the ‘new’ Member States among those who came to the UK are persons who have applied for benefits, among them only 3%, or about 16 people passed the test and received support according to usual criteria. D. Blunkett, the Minister of Foreign Affairs, summed it up in the following way: “We always said that we welcome the citizens of these countries to work but not to receive benefits. This policy proved effective.”

The speaker also referred to the statement made by the British Prime Minister David Cameron, who spoke negatively about the Poles abusing social benefits granted by the United Kingdom. However, as Prof. Simon Roberts aptly demonstrated, the scale of benefits collected by the Poles is low and by no means should it be called “abuse”.

## Sytuacja obywateli polskich w brytyjskim systemie zabezpieczenia społecznego – wyniki badań prof. Simona Robertsa

ANTONI KOLEK

doktorant Wydziału Dziennikarstwa i Nauk Politycznych UW

**STRESZCZENIE:** *W tekście zaprezentowano uwarunkowania sytuacji obywateli polskich w brytyjskim systemie zabezpieczenia społecznego od momentu przystąpienia Polski do Unii Europejskiej. Zawarto w nim analizę danych statystycznych, przedstawiających strukturę imigrantów przybywających do Wielkiej Brytanii po otwarciu granic. Przedstawia się w nim warunki, jakie stawiane są imigrantom w celu otrzymania świadczeń British State Pension oraz Child Benefits. Artykuł powstał na podstawie referatu prof. Simona Robertsa, wygłoszonego podczas międzynarodowej konferencji pt. „Reemigracja obywateli polskich – problemy prawne i społeczne”, która odbyła się w dniu 5 września 2014 r. w Centrum Dialogu Społecznego „Dialog” im. Andrzeja Bączkowskiego w Warszawie.*

**SŁOWA KLUCZOWE:** *zabezpieczenie społeczne, Polacy w Wielkiej Brytanii, świadczenia, składki, Simon Roberts*