

# EU Settlement Scheme FAQs

## What it is the EU Settlement Scheme?

The EU Settlement Scheme is designed to offer EU\* citizens resident in the UK and their eligible family members the opportunity to obtain an immigration status in order to be able to:

- Live and work in the UK
- Use the NHS
- Enrol in education or continue studying
- Access public funds such as benefits and pension where eligible
- Travel in and out of the UK

Applicants only need to complete three key steps - prove their identity, show that they live in the UK prior 31<sup>st</sup> December 2021, and declare any criminal convictions.

The EU\* Settlement Scheme is designed to be as simple and straightforward as possible.

## Who needs to apply for the EU Settlement Scheme?

Applications to the Scheme will be required from the following people:

- EU\* citizens
- EU\* citizens family members if they are not British or Irish citizens.
- Born in the UK but not a British citizen - sometimes being born here in the UK does not mean automatically have citizenship
- People with a Permanent Residence Document
- Not an EU\* citizen but are a family member of an EU\* citizen
- An EU\* citizen with a British citizen family member.

*Citizens not from the EU\* may be able to apply if:*

- *They used to have an EU\* family member living in the UK, but they have since separated or the family member has died*
- *They are a family member of a British citizen who they lived with outside the UK in an EU\* country*
- *They are a family member of a British citizen who also has EU\* citizenship and who lived in the UK as an EU\* citizen before getting British citizenship*
- *They are the primary carer of a British or EU\* citizen*
- *They are the child of an EU\* citizen who used to live and work in the UK, or the child's primary carer.*

## When should I apply?

EU\* citizens who are already resident in the UK prior to 23:00 on 31 December 2020 are eligible to apply to the EU Settlement Scheme. Applications must be made before 30 June 2021. However, we would recommend you to apply now or as soon as possible.

## How much does EU Settlement Scheme Cost?

Applying for the Settlement Scheme is free for everyone.

## What do I get after applying to the EU Settlement Scheme?

EU\* citizens who apply to the EU Settlement Scheme and are successful will be granted either Settled or Pre-Settled status, depending on how long you have been living in the UK:

### Settled Status

If you started living in the UK by 31<sup>st</sup> December 2020 and have been resident in the UK **6 months out of every 12 months for 5 years in a row.**

- You can stay in the UK for as long as you like
- You will be eligible to apply for British citizenship (subject to requirements)
- You can leave the country for up to 5 years and keep your status
- Children born in the UK to people with settled status will automatically be British Citizens

## **Pre-settled Status**

If you started living in the UK by 31<sup>st</sup> December 2020 and have been in the UK for **1 day out of last 6 months**.

- You can stay in the UK for a period of five years from date of receiving pre-settled status
- After 5 years from when you first arrive in the UK, you can apply for settled status
- You can leave the country for 2 years and keep your status
- Children born in the UK to people with pre-settled status will automatically be eligible for pre-settled status

## **Application Process**

### **How can I apply for the EU Settlement Scheme?**

You can apply online. You will need internet access either from a computer, laptop phone or tablet that has camera.

You can complete the application online on <https://apply-to-visit-or-stay-in-the-uk.homeoffice.gov.uk/> or downloading the app "EUExit:ID Document Check". Please note that the app is just available for android phone or iPhone 7 or above.

### **What do I need to start the application for the EU Settlement Scheme?**

- an identity document – for example your Passport, National Identity Card.
- a digital photo - you need to take a photo of yourself during the application
- your National Insurance Number or proof of how long you have lived in the UK
- a mobile phone number
- an email address
- proof of your relationship if you are applying for a child or another family member

### **What do I need to provide when applying for the EU Settlement Scheme?**

#### **Proof of Identity**

Applicants can provide evidence of their identity and nationality by uploading the following via the "EUExit: ID Document Check" app:

- Valid Passport or National Identity Card if you are citizen of the EU\*
- or
- Valid Passport, 'Biometric Residence Permit' if you are from outside the EU\*

This will only work if your passport or card has a biometric chip to scan it. If it has a chip, it will have this symbol on it: 

You must send your document by post to the home office if you have a:

- Non-EU Passport
- Biometric Residence Permit
- Non-Biometric ID Card

You will get your document back as soon as it has been scanned. It is usually returned within 3 days of being received. This does not include the time your document is in transit. You should allow 10 days from sending your document.

#### **Proof of Residence in the UK**

Provide your National Insurance Number if you have one, if not you will need to upload documents to prove how long you have lived in the UK.

#### **Criminal record**

You have to complete the criminality check by declaring any criminal conditions. Only serious or persistent criminality will affect your application.

### **What should I do if do not have access to an Android phone or an iPhone 7 or above?**

You have 2 options:

1. Go to a document scanning centre - You can make an appointment to have your ID document scanned. Contact the location to book an appointment to use this service. You will need to attend this appointment in person.  
Once your ID document has been scanned you can make the rest of your application online later using a computer or any other device you choose to access the internet. Please note you must not start your application before you attend your appointment.

You must bring to your appointment:

- your biometric passport from an EU\* country (this service does not accept national identity cards)
  - a mobile phone that can receive text messages or a device that can receive email
2. Start the application online and fill in the details of your identity document. You have to upload a digital photo of yourself and post your identity document to the Home Office at the end of the application.

### **What should I do if I do not have National Insurance Number?**

If you do not have National Insurance Number to help confirm your UK residence in your application, you will need to provide any documentation as proof of residence.

The documents must have your name and a date on them. The Home Office will contact you if they need more documents, please note that you are limited to upload 10 documents.

### **Which documents can I use to prove my residence period in the UK?**

To prove residency in the UK, you only require evidence of living for only 1 day of the last 6 months. Please note that all the documents presented must have your name and date on them.

You can use evidence like a:

- used airline, train, ferry or ship ticket that shows the date you entered the UK
- stamp in your passport showing you entered the UK
- monthly bank statement showing money you have spent or received in the UK
- mobile phone bill in your name with your address in the UK
- council tax, water, gas or electricity bill
- letter or appointment card from your GP, a hospital or other healthcare professional - for example a physiotherapist

If you cannot get any evidence, talk to an adviser at your nearest Citizens Advice. You can ask the adviser to give you a letter proving you had an appointment.

You can also ask government departments or charities for a letter showing you had an appointment, or they helped you.

### **What happens if I have a 'permanent residence document'?**

If you have a valid UK permanent residence document, you will have one of the following:

- a certificate inside your blue 'residence documentation' booklet
- a certificate inside your passport
- a Biometric Residence Card confirming permanent residence (only if you are not an EU\* citizen)

Your document is not a permanent residence document if it has 'registration certificate' written on it.

If you are from the EU\* your permanent residence document will say 'Document Certifying Permanent Residence'.

If you are not an EU\* citizen, your biometric residence card will say 'Permanent Residence Status'.

Your permanent residence document will not be valid after 30 June 2021. If you wish to continue living in the UK after that date you must either:

- apply to the EU Settlement Scheme, please note:
  - You need to enter your permanent residence document number when you apply
  - You will not have to prove you have 5 years' continuous residence in the UK as this is already demonstrated by your document certifying permanent residence
- apply for citizenship before 30 June 2021

### **What happens if I have 'indefinite leave to enter or remain'?**

Indefinite leave to enter or remain are types of immigration status.

You will have a stamp in your passport or a letter from the Home Office. You could also have a 'vignette' (sticker) or a Biometric Residence Permit.

You do not have to apply to the EU Settlement Scheme to stay in the UK after 30<sup>th</sup> June 2021. However, if you choose to apply (and meet all the other conditions), you will get 'indefinite leave to remain under the EU Settlement Scheme' - also known as settled status.

This means you should be able to spend up to 5 years in a row outside the UK without losing your settled status (instead of 2 years with the indefinite leave to enter or remain you have now).

You will not have to prove you have 5 years' continuous residence.

### **What happens if I am claiming benefits and getting help with housing?**

You can continue to claim benefits and get help with housing from your local council until the deadline date.

After that date, some benefits like Universal Credit, Pension Credit and Child Benefit might stop if you do not have settled or pre-settled status as these benefits are linked to the right to reside.

### **What happens if I have convicted a crime or waiting for a trial?**

When you apply to the Scheme, you need to answer questions about crimes you have been convicted of or you are waiting to go to court for. You only need to do this if you are 18 or over.

You have a criminal record if you were convicted of an offence at a magistrates' court or crown court in England and Wales. If you were convicted of an offence in Scotland, it could have been at a justice of the peace court, sheriff court or high court.

You are not considered to have committed a crime in the UK if you:

- went to court for something that was not criminal - this is called a civil matter and includes things like debt problems and family hearings
- had a parking fine or a fine from a local council for breaking traffic rules - this is known as a 'penalty charge notice'
- committed a driving offence and you did not get a summons from a court
- were given a warning or caution at a police station

The Home Office will check UK and international criminal records. Your application could be rejected if you lie about your criminal record or a crime you have been charged with.

### **What happens if I have got pre-settled status but expecting settled status?**

If you applied for settled status but you are given pre-settled status, you might not get the result you were expecting if:

- the automatic check cannot find your record
- you have gaps in your National Insurance record - for example if you did not work for some time

The check could say you have lived in the UK for less than 5 years. If this is not true, check the screen carefully. Then select the option that says you have lived in the UK for more than 5 years.

You will then be asked to upload documents to prove how long you have lived in the UK. You can do that straight away or you can save your application and return to it later when you have the documents in your possession.

### **Do I need to prove that I have been working since coming to the UK?**

No. An award of pre-settled or settled status is made solely on the basis of a person's residence in the UK. It does not matter whether you are or have been working, self-employed, studying, claiming benefits or dependent on someone else, if you are living in the UK and you are an EU\* citizen or a family member of an EU\* citizen you are eligible to apply to the Scheme.

### **What happens if I, as EU\* citizen, come to the UK after 31<sup>st</sup> of December 2020 and have not applied for the EU Settlement Scheme?**

A new immigration system will apply to people arriving in the UK from 1<sup>st</sup> January 2021 and EU\* citizens moving to the UK to live, work or study will need to get a visa in advance.

### **Roughly how long does it take to complete the application form online?**

Feedback from applicants on the speed and ease of the application process has been very positive with applicants taking on average around 20 minutes to complete their application.

### **If I was granted pre-settled status because I have been here for 3 years, could I then apply for settled status in 2 years' time?**

Yes, your status will not change automatically. You can apply for settled status as soon as you have lived in the UK for 6 months out of every 12 months for 5 years in a row. You must do this before your pre-settled status expires.

### **Are the communications materials and/or support documents available in other languages?**

Translated guidance can be found in different languages on <https://www.gov.uk/guidance/settled-status-for-eu-citizens-and-their-families-translations>

### **Can I save the form/process halfway through and continue later on?**

Yes. The application can be saved at each stage so you can return to complete it at a later time.

### **I have an Irish passport, am I required to apply for the EU Settlement Scheme?**

No, Irish citizens living in the UK are not required to apply for status under the EU Settlement Scheme as your right of residence in the UK is not linked to the UK's membership of the EU. Nonetheless, you can make an application under the Scheme if you wish.

Your family members who are not Irish or British citizens and who do not already have leave to enter or remain in the UK will need to make an application for status under the EU Settlement Scheme.

Irish citizens born in Northern Ireland, however, are not eligible to apply as they also automatically hold British citizenship, whether or not they have applied for a British passport.

## **After Application**

### **How long does the settled status application take to process once submitted?**

The majority of decisions are made in a matter of days. After you apply to the EU Settlement Scheme, the Home Office will email you a decision letter to tell you what status they have given you. They will contact you if they need more information from you before they make a decision.

It can take some time for the Home Office to process your application, so do not worry if you have to wait more than you expected for your decision letter.

If your family member also applied, they might get a decision before you - even if you linked your applications.

You can contact the EU Settlement Scheme Resolution Centre to check the progress of your application:

#### **EU Settlement Scheme Resolution Centre**

Telephone: 0300 123 7379

Monday to Friday, 8am to 8pm

Saturday and Sunday, 9.30am to 4.30pm

### **How do I receive the results from my application?**

You will not get a physical document to prove your status. Instead, applicants will be granted a digital status which will be stored electronically. The Home Office will email you a link to an online service that you can use to view and prove your status.

### **Can my application be refused?**

An application can be refused if you do not meet the requirements, provide false information, or if you fail to disclose information requested. If you have certain criminal convictions, your application may also be refused.

### **How does someone with settled/pre-settled status show their rights to work, study, etc..?**

Once you have been granted pre-settled or settled status you can access your application portal and click to share the status with (put in the details of) an employer/ landlord who can then see your name, photo and status (without seeing other details like nationality, date of birth etc.).

This will enable you to prove your rights to others online, including employers and landlords.

## **Family Members**

### **Can my family members apply for the Settlement Scheme?**

Your family members need to be in the UK by 31 December 2020 to apply for the EU Settlement Scheme. If they are not in the UK by that date, they can only join you if the following apply:

- you have 'pre-settled' or 'settled status' under the EU Settlement Scheme
- your relationship began before 31 December 2020
- they are still in the relationship when they apply to join you

## **Family members under 21**

If your child is under 21, you can apply for them or they can apply for themselves. Your child includes your adopted child, step-child, grandchild and great-grandchild.

The easiest way to apply is to link your child's application to yours. They will get the same status as you. Do not link applications if they qualify for settled status and you only qualify for pre-settled status.

To link your applications, you should apply for yourself first and make a note of your 16-digit application number. Next apply for your child. On the 'Applying as a child' screen, choose 'Apply using my parent's residence in the UK.' You will then need to enter your name and application number.

You will need to do this for each child you want to apply for.

Your applications might be processed at different times, even if you link them.

After you apply, the Home Office might ask for evidence showing your child lives in the UK. You could use:

- a Child Benefit or child tax credit letter
- a letter from your child's education provider - for example, their nursery or college
- a letter from your child's health visitor or GP - if they have not started school

### **Proving your child's relationship to an EU\* Citizen**

**If your child is an EU\* citizen**, you should use a birth or adoption certificate to prove their relationship to you. If the child is your grandchild or great-grandchild, you also need birth certificates that prove your relationship to their parent.

**If your child is from outside the EU\***, you should use their biometric residence card to prove their identity. This means you do not have to prove their relationship to you because you proved it when you applied for the card.

If they do not have a biometric residence card, you should use:

- their Birth Certificate
- their Adoption Certificate
- a Family Permit
- their Birth Certificate and your Marriage or Civil Partnership Certificate - if they are your step-child
- Birth Certificates that prove your relationship to their parent - if you are their grandparent or great-grandparent

## **Adult family members**

If your family members aged 21 or over apply to the EU Settlement Scheme depends on where they are from and how they are related to you.

### **Family member from EU\***

Your family members have to apply to the Scheme in their own right if they are from the EU\*.

### **Family member from outside the EU\***

You can apply if you are in a relationship with an EU\* citizen as their spouse, civil partner or unmarried partner.

You can also apply if you are related to an EU\* citizen, their spouse or civil partner as their:

- child, grandchild or great-grandchild under 21 years old
- dependent child over the age of 21
- dependent parent, grandparent or great-grandparent
- dependent relative

The easiest way for your family member to apply is to link their application to yours. This means they do not have to prove how long you have lived in the UK.

To link your family member's application to yours, you should apply first and make a note of your 16-digit application number. When your family member applies, they should answer 'yes' to the question 'Has your sponsor applied for settled status?'. They will need to enter your name and application number.

Your applications might be processed at different times, even if you link them.

If you are not applying for settled status, your family member will need to prove how long you have lived in the UK.

They should use their 'Biometric Residence Card' to prove their identity when they apply. This means they do not have to provide evidence of their relationship to you because they proved it when they applied for the card.

If they do not have a biometric residence card, there are other ways they can prove their relationship to you.

### **If you are British citizen**

Your family members who are citizens of countries outside the EU\* might be able to apply to the EU Settlement Scheme if you either:

- are an EU\* citizen and you became a British citizen after moving to the UK
- lived in the EU\* (as main residence) with that family member while the UK was part of the EU\* (before 1<sup>st</sup> January 2021) and you must also have been working, studying or self-sufficient in the country while there.