

# EU Citizens and Brexit

## Welcome



Citizens Advice Richmond

# Present Position

No change now for EU citizens and their families in the UK

Right to enter UK until 31<sup>st</sup> December 2020 (Deal or No Deal)

If you want to remain, must apply for Settled Status or Pre-Settled Status

by 31<sup>st</sup> December 2020



# Settled Status: Who can apply?

All EU citizens and their families resident in UK can now apply

If you have Permanent Right of Residence, you will still have to apply for Settled Status

Nothing to do if you are Irish, or you have Indefinite Leave to Remain (this was granted before 2006) but you can apply for Settled Status

# Requirements for Settled Status 1

Continuously resident in UK for 5 years (start again if 5 years absence from UK)

Some exemptions eg can be absent for 6 months a year or up to 12 months for important reasons eg family illness

If not immediately eligible, will get Pre-Settled Status

Non-EU citizen family member (except children) must themselves be continuously resident for 5 years as family member

# Requirements for Settled Status 2

Less than 5 years residence if :

- Children or grandchildren under 21 no residence condition if parent or grandparent is eligible
- worked in UK and then retire or become permanently incapacitated (and family members). Get advice
- family member of someone who worked in UK and died. Get advice

# Application for Settled Status 1

You need a valid passport or national identity card

Simplest proof of identity is a valid biometric passport (box on front page)

If you are not an EU citizen, you can use any of the following:

- valid passport

- biometric residence card

- biometric residence permit

If you do not have any of these you may be able to use other evidence. Contact the EU Settlement Resolution Centre if you do not have an identity document.

# Application for Settled Status 2

When you apply, you can prove your identity either:-

- Using the 'EU Exit: ID Document Check' app to scan your document (which must be biometric) and send your photo
- You must use an NFC Android phone (for contactless payments)
- .
- The app is available here:

<https://play.google.com/store/apps/details?id=uk.gov.HomeOffice.ho1>

# Application for Settled Status 3

- You can also visit one of the Councils who can scan your document for you. The document must be biometric but national identity cards cannot be scanned. If you have an identity card, you will have to post this.
- Richmond Council's service is free for Council staff and residents of Richmond upon Thames (proof of residence required at the time of your appointment). Details can be found here:

[https://www.richmond.gov.uk/services/registration\\_services/eu\\_settlement\\_scheme](https://www.richmond.gov.uk/services/registration_services/eu_settlement_scheme)



# Application for Settled Status 4

You then complete an online application here:

<https://www.gov.uk/settled-status-eu-citizens-families/applying-for-settled-status>

You don't have to do the whole application in one go - you can save your answers and come back later

If you cannot scan your identity document, you will then post it

# Application for Settled Status 5

Dual nationality? / Previous nationality?

Permanent Right of Residence Card? / Indefinite Leave to Remain?

Address

Any other names

National Insurance Number

Convictions. (Anywhere). Includes motoring offences with summons but not fixed penalty notice

# Application for Settled Status 6

Automated checks by HMRC (tax and National Insurance) and DWP (benefits)

Can submit documentary evidence

Criminal checks

Repeat applications allowed

# Application for Settled Status 7

Usually told immediately if considered for settled or pre-settled status, or if you need to provide more evidence.

The Home Office will then email with the outcome. If successful, they'll get :

- link to view and prove status online
- biometric residence card if they're not an EU, EEA or Swiss citizen (and they don't already have one)

# Application for Settled Status 8

Help with the online application:

<https://www.gov.uk/government/publications/eu-settlement-scheme-assisted-digital-service>

Any queries about the application contact the EU Settlement Resolution Centre: Inside the UK: 0300 123 7379 Outside the UK: 0203 080 0010

You can also get online help:

<https://eu-settled-status-enquiries.service.gov.uk/start>



# Family Members 1

Spouse or civil partner.

Durable partner: lived together for 2 years (unless other significant evidence)

Child or grandchild under 21 or dependant

Dependant parent or grandparent

# Family Members 2

Special rules allow family members of EU citizen who dies or leaves UK, or where couple divorce, to retain family status

Get advice

Recommend non EU family members wait for EU application and use this application number to link the two

# Effect of Settled Status

Settled Status is only lost by 5 years absence from UK

(2 years for Indefinite Leave to Remain or Permanent Right of Residence)

Subject to other requirements, unless married to a British citizen you can apply for naturalisation one year after Settled Status (or grant of Indefinite Leave to Remain or when Permanent Residence Document takes effect).



# Entry after 31<sup>st</sup> October 2019

With Settled Status, existing family members can enter until 29<sup>th</sup> March 2022 and new family members until 31<sup>st</sup> December 2020.

Children born or adopted after 31<sup>st</sup> December 2020 can enter

EU citizens entering before 31<sup>st</sup> December 2020 can work and must apply for EU Temporary Leave to Remain by then (valid for 3 years)

# Summary

Your rights are unchanged until 31<sup>st</sup> December 2020

You can apply for Settled Status if you have been resident in the UK for 5 years (and children under 21 at same time)

You must apply for Settled Status or Pre-Settled Status by 31<sup>st</sup> December 2020

# Further Information

Email updates available from the government:

[www.gov.uk/guidance/status-of-eu-nationals-in-the-uk-what-you-need-to-know](https://www.gov.uk/guidance/status-of-eu-nationals-in-the-uk-what-you-need-to-know)

Becoming a British citizen:

[www.gov.uk/becoming-a-british-citizen](https://www.gov.uk/becoming-a-british-citizen)

Settled Status Scheme:

<https://www.gov.uk/government/publications/eu-settlement-scheme-statement-of-intent>

# Further Information

Advice from Citizens Advice Richmond:

[www.citizensadvicerichmond.org/get-advice](http://www.citizensadvicerichmond.org/get-advice)

Brexit updates:

[www.citizensadvicerichmond.org/eu-citizens-brexit](http://www.citizensadvicerichmond.org/eu-citizens-brexit)



Thank you – any questions?



Citizens Advice Richmond