

EU SETTLEMENT SCHEME



 **HEWETT**
RECRUITMENT



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WHAT IS THE SETTLEMENT SCHEME AND WHY IS IT NECESSARY?

The settlement scheme is designed to offer individuals the opportunity to protect their residence in the UK after the UK leaves the EU.

The UK and the EU have been negotiating an agreement to take effect as soon as the UK leaves the EU. This is known as the 'Withdrawal Agreement', and as yet there has been no final agreement reached between the UK and the EU.

If you're an EU, EEA or Swiss citizen, you and your family can apply to the EU Settlement Scheme to continue living in the UK after 30 June 2021. If your application is successful, you'll get either settled or pre-settled status.

When you can apply

The EU Settlement Scheme is open. You can apply now if you meet the criteria.

The deadline for applying is 30 June 2021.

Which status you get may depend on when you apply.

If the UK leaves the EU without a deal

You will need to be living in the UK before it leaves the EU to apply. The deadline for applying will be 31 December 2020.

Fees

It's free to apply to the scheme.

If you paid a fee when you applied to the EU Settlement Scheme, you'll get a refund.

This applies to:

- EU citizens
- Citizens of Norway, Lichtenstein, Iceland (non-EU EEA) and Swiss citizens
- Eligible family members of all of the above
- Eligible family members of British citizens who have exercised a right to reside in another EU country
- Those living in the UK before the UK leaves the EU (or before the end of any agreed transition period)
- Those who have a documented right of permanent residence under EU law (free application)

The scheme will continue to operate where an agreement with the EU is reached, and will also operate (in a more restricted way) if an agreement with the EU is not reached.

SETTLEMENT STATUS'

'SETTLED STATUS'

If you have lived in the UK for five years you will be able to apply for 'settled status'

Once you have 'settled status' **any children you have who are under 21 can also apply for 'settled status'** (without needing to be in the UK for five years themselves).

There are limited circumstances in which someone can obtain 'settled status' with less than five years' residence.

'Settled status' will be **lost after a continuous absence** of more than five years from the UK and Islands.

PRE-SETTLED STATUS

If you have not been in the UK for five years, you can apply for 'pre-settled status' (a grant of five years' permission).

There is **no minimum time** you need to have spent in the UK in order to apply for pre-settled status, but you must show evidence that you currently live in the UK.

'Pre-settled' status will be **lost after a continuous absence of more than two years** from the UK and Islands.

After five years of living in the UK you can apply for settled status (this five years includes all the time you have resided in the UK, not just from the point of the grant of pre-settled status).

You will need to apply for settlement status if you intend to stay in the UK after the five year permission ends (unless you apply under another category of the immigration Rules).

WHO SHOULD APPLY?

- EU, EEA or Swiss citizens
- you're not an EU, EEA or Swiss citizen, but your family member is

The EEA includes the EU countries and also Iceland, Liechtenstein and Norway.

WHO ELSE CAN APPLY?

- you used to have an EU, EEA or Swiss family member living in the UK (but you've separated, or they've died)
- you're the family member of a British citizen and you lived outside the UK in an EEA country together
- you're the family member of a British citizen who also has EU, EEA or Swiss citizenship and who lived in the UK as an EU, EEA or Swiss citizen before getting British citizenship
- you're the primary carer of a British, EU, EEA or Swiss citizen
- you're the child of an EU, EEA or Swiss citizen who used to live and work in the UK, or the child's primary carer

This means you need to apply even if you:

- were born in the UK but are not a British citizen
- have a UK 'permanent residence document'
- are a family member of an EU, EEA or Swiss citizen who does not need to apply - including if they're from Ireland
- are an EU, EEA or Swiss citizen with a British citizen family member

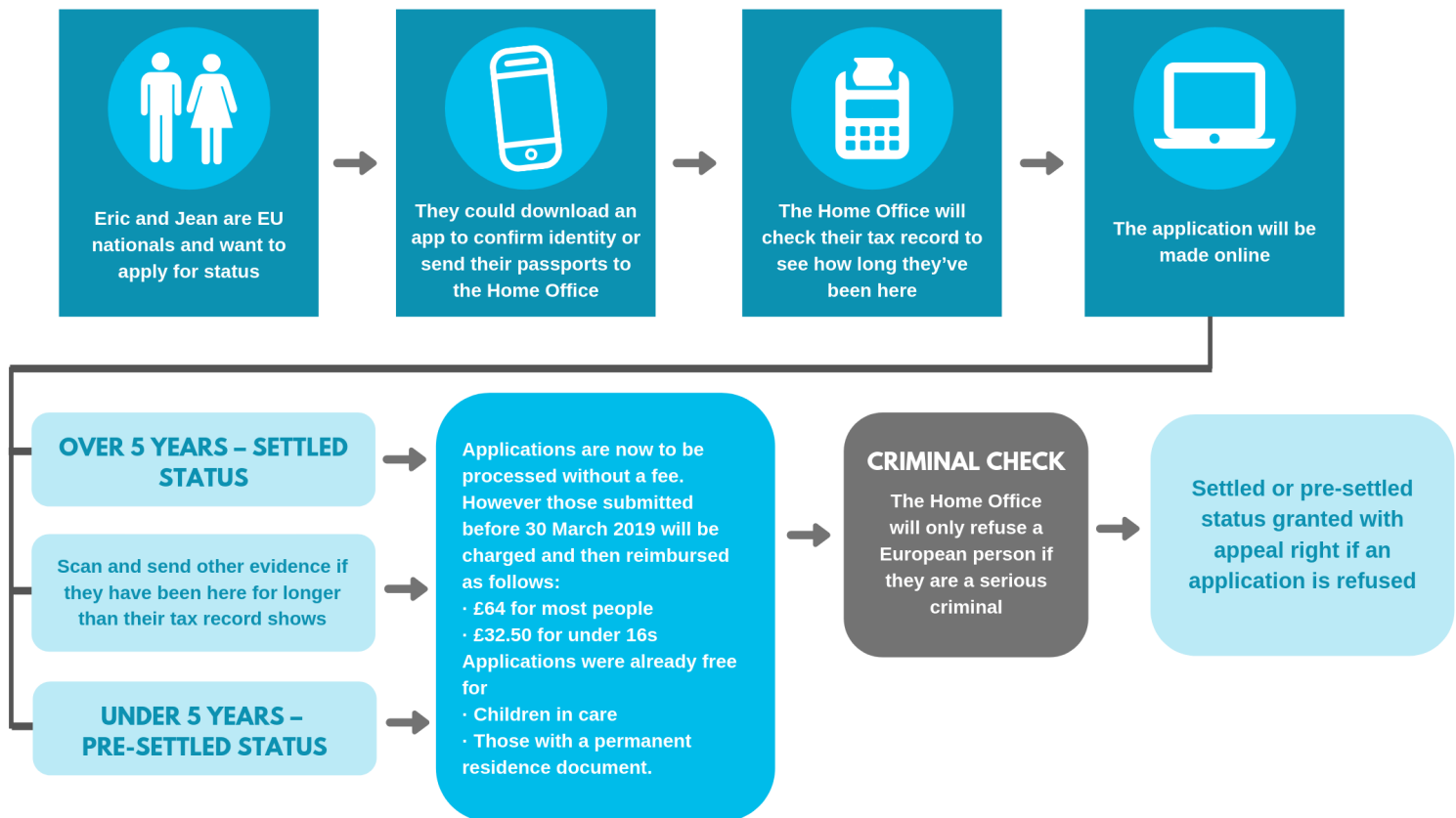
WHO DOES NOT NEED TO APPLY

You do not need to apply if you...

- have indefinite leave to enter the UK
- have indefinite leave to remain in the UK
- have British or Irish citizenship (including 'dual citizenship')
- work in the UK but do not live here ('frontier worker')
- are exempt from immigration control
- are an EU, EEA or Swiss citizen and you moved to the UK before it joined the EU

You only need to apply if you do not have indefinite leave to remain. If you do have indefinite leave to remain, you'll usually have a stamp in your passport or a letter from the Home Office saying this.

HOW WILL IT WORK?



“We want to make it as easy as possible for EU citizens and their family members in the UK to secure their rights”



Quick, easy and no unnecessary / repeated costs



Online submission as far as possible



Presumption in favour of granting applications



Engaging and flexible approach to documentation



Refusals reserved for cases of serious and persistent criminality



Most applications to be processed in 2-3 weeks



Irish nationals are protected under UK law but their non-Irish, non-UK families can benefit from the scheme

IMPORTANT INFORMATION:

- Those who enter the UK before 31 December 2020 will have until 30 June 2021 to apply under the scheme.
- Those with a document confirming permanent residence can apply for free under the scheme, and will (if successful) be granted 'settled status'.
- In order to apply under the settlement scheme you **do not have to be 'exercising a right to reside'**. This means if you are an EU citizen you will not have to be in the UK as a 'worker', 'student' or 'self-sufficient person' etc. Therefore, there is no requirement under the scheme to provide evidence that you have comprehensive sickness insurance.
- **If settlement status is lost and you are no longer eligible to apply under the settlement scheme**, you will only be able to apply under any other category of the immigration Rules in place at the time you wish to come to the UK.
- Once you have 'pre-settled' or 'settled' status, there will be no restrictions on study (where you study or what you study).

WHERE TO APPLY FOR THE SETTLEMENT SCHEME

The scheme currently only allows applications to be made from inside the UK. Eligible applicants who are outside the UK will be able to apply from outside the UK for the scheme from 9 April 2019.

USE OUR COMPUTERS TO APPLY

Hewett Recruitment have opened our Kidderminster induction suite to those who need to apply to the Settlement Scheme

WHY USE OUR SUITE?

- computer and internet access
- confidential support & guidance
- privacy
- clean, modern facilities

HOW TO APPLY UNDER THE SETTLEMENT SCHEME

- You will either be able to complete an application online and then use identity (ID) app (currently available on android phones only) to upload documents, or complete an online application and then go in person to have identity checks. If identity documents are sent in, they will be received, checked and sent back (not retained).
A paper form will be made available once the scheme is fully rolled out but can only be used in exceptional circumstances.

The application has been free since 30 March 2019. Applications submitted and paid for under the pilot will have the application fee refunded - see The settlement scheme from 30 March 2019

You will be asked minimal questions about your identity and nationality and residence: The Home Office will do checks against other government databases to check that you have been resident in the UK. This will be completed by:

WHAT YOU'LL NEED TO APPLY...

When you apply, you'll need proof of:

- an email address and phone number
- your identity
- your residence in the UK, unless you have a valid permanent residence document, or valid indefinite leave to remain in or enter the UK

[Further detail about what is required is available on the following pages](#)

PROOF OF IDENTITY

You need a valid passport or national identity card. You also need to provide a digital photo of your face.

If you're not an EU, EEA or Swiss citizen, you can use any of the following:

- valid passport
- biometric residence card
- biometric residence permit

When you apply, you can either:

- scan your document and upload your photo using the 'EU Exit: ID Document Check' app for Android
- send your document in the post and upload your photo using the online application (you can take this yourself)

SCAN YOUR DOCUMENT

You can only use the 'EU Exit: ID Document Check' app for Android to scan your document if you have one of the following:

- valid EU, EEA or Swiss passport or ID card, if its biometric
- UK-issued biometric residence card

Otherwise you'll need to send your documents by post.

SEND YOUR DOCUMENTS BY POST.

You must send your document by post if you have a:

- non-EU or EEA passport
- biometric residence permit
- non-biometric ID card

If you have any other identity document, you can send it in the post if you cannot use the 'ID Document Check' app.

You'll get your document back as soon as it has been scanned. This could be before you get your decision.

ID APP (CURRENTLY ONLY AVAILABLE ON ANDROID PHONE)

If you use the ID app to scan your passport you will not be required to complete the section on nationality. If you scan your passport using the app the chip in your passport contains all the necessary information. The app can tell if the document is genuine.

- You will upload a photo of yourself (this can be a scan of your face using your phone).
- You will need to declare any criminal convictions (and the Home Office will do their own checks too).
- You sign a declaration

Next you will receive message reading either:

"you will be considered for settled status..." or "you will be considered for pre-settled status..."

IF YOU HAVE CRIMINAL CONVICTIONS

If you're 18 or over, the Home Office will check you have not committed serious or repeated crimes, and that you do not pose a security threat.

You'll be asked to declare convictions that appear in your criminal record in the UK or overseas.

You do not need to declare any of the following:

- convictions that do not need to be disclosed ('spent convictions')
- warnings ('cautions')
- alternatives to prosecution, for example speeding fines

You'll also be checked against the UK's crime databases.

You'll still be eligible for settled or pre-settled status if you've only been convicted of a minor crime.

You may still get settled or pre-settled status even if you have other convictions. This will be decided on a case-by-case basis.

If you've been to prison, you usually need 5 years' continuous residence from the day you were released to be considered for settled status.

PROOF OF CONTINUOUS RESIDENCE

To be eligible for settled status, you usually need to have lived in the UK, the Channel Islands or the Isle of Man **for at least 6 months in any 12 month period for 5 years in a row.** You need to provide proof of this when you apply.

- **National Insurance number will allow an automated check of your residence based on tax and certain benefit records.**

If this check is successful, you'll not need to provide any documents as proof of residence.

You'll only need to provide documents if you have been here for 5 years in a row but there is not enough data to confirm this.

All the documents you submit as evidence must be dated and have your name on them.

You should only provide 1 piece of evidence to cover each month or longer period of time. You can upload a maximum of 10 documents to show evidence of UK residence. Each document must be no more than 6MB in size. We'll contact you if we need further information.

Use documents that cover longer periods of time if you can, such as **annual bank statements, council tax bills or university letters and certificates.** This means you will not need to submit as many documents.

A document with a single date on will count as proof of residence for that month only, for example a monthly electricity bill, an official letter or a GP appointment card.

A full list of acceptable documents is shown on the following page.

EVIDENCE THAT COVERS LONGER PERIODS OF TIME:

- annual bank statement or account summary, showing at least 6 months of payments received or spending in the UK
- employer letter confirming employment and evidence that the employer is genuine, for example, their Companies House number
- council tax bill
- letter or certificate from your school, college, university or other accredited educational or training organisation showing the dates you enrolled, attended and completed your course
- invoice for fees from your school, college, university or other accredited educational or training organisation and evidence of payment
- document showing a UK address from a student finance body in England, Wales, Scotland or Northern Ireland or from the Student Loans Company
- residential mortgage statement or rental agreement and evidence of payment
- letter from a registered care home confirming your residence there
- employer pension contributions
- annual business account of a self-employed person
- a P60 for a 12-month period – your P60 shows the tax you've paid on your salary in the tax year (6 April to 5 April). We may ask you for additional evidence to confirm that you were resident here for at least 6 months of that period.
- a P45 showing the length of your previous employment. You should get a P45 from your employer when you stop working for them.

EVIDENCE THAT COVERS SHORTER PERIODS OF TIME:

These documents count as evidence for 1 month if they have a single date on. They can be used to cover a longer period of time if they have a start and end date covering longer than a month.

- bank statement showing payments received or spending in the UK
- payslip for a UK-based job
- water, gas or electricity bill showing a UK address
- landline or mobile telephone, TV or internet bill showing a UK address
- domestic bill, such as for home repairs, vet's services or insurance, and evidence of payment
- card or letter from your GP, hospital or other healthcare professional confirming appointments you have made or attended
- letter from a government department, public service or charity that show you dealt with them on a particular date or for a particular period (for example Job Centre Plus or Citizens Advice)
- passport stamp confirming entry at the UK border
- used travel ticket confirming you entered the UK from another country
- invoice for work you have done in the UK and evidence of payment

CHALLENGE YOUR 'PRE-SETTLED STATUS'

If you are considered for pre-settled status but disagree with this (because you have been here for five years or longer or meet other requirements for settled status), you can upload further evidence to show how long you have been in the UK.

The form will indicate the period for which there is missing information and you only need provide information for that period. This can include evidence that you were absent for an 'important reason' such as study abroad. The Home Office prefers one single piece of evidence (i.e: letter of attendance from an educational institution covering a three year period).

You won't be shown your data unless you are challenging your 'pre-settled' status status.

You will be asked if a caseworker can contact you via email or phone and if you don't think you can provide evidence, a caseworker will contact you after submission to help you find a way to prove your status.

CONTACT US

For further advice and support regarding the EU Settlement Scheme, feel free to get in touch with our team on **01562 69060** or email **Ben@hewett-recruitment.co.uk**



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