

# Euro Café Settled Status

**citizens  
advice**

**Wandsworth**

26 May 2020

# Our EU Project

In partnership with Wandsworth council we:

- run free information events and outreach sessions at community groups
- advise individuals about their rights and options for securing their status
- help individuals challenge decisions about their right to claim benefits in the UK
- help vulnerable EU nationals to apply for settled status

# What will you learn today?

- How Brexit will affect EU nationals living in the UK
- How to help our European colleagues, friends, neighbours, and clients retain their rights
- How to apply under the EU Settlement Scheme (settled and pre-settled status)
- What are your options with regards to British citizenship

# What happens after Brexit?

The UK left the EU on **31 January 2020** and is in a transition period until the end of the year

EU nationals need to act in order to secure their rights. From **1 January 2021** they risk losing access to:

- benefits and pensions
- NHS treatment
- the right to rent
- the right to work

# End of free movement

EU nationals moved to the UK thanks to free movement and aren't used to engaging with immigration rules

The UK is their home, they are settled here and may not realize that their rights are changing

You can help them by raising awareness about the need to secure their status

# What do you need to do?

EU nationals and their family members need to apply to the **EU Settlement Scheme (EUSS)**

The official deadline is **30 June 2021** but you should apply before **31 December 2020** to avoid the risk of losing access to benefits and services

There are currently no plans to extend the above deadlines

# Key points about the EUSS (1)

1. **Based on residence:** employment and income don't matter
2. **Automatic residence check:** usually it's enough to provide an NI number
3. **Free to apply:** nobody should be charged to apply

# Key points about the EUSS (2)

4. **Easy to apply:** a straightforward and quick process for most people
5. **Online application:** it's easiest to apply using a smartphone
6. **Digital status:** no physical document provided

# Settled and pre-settled status

Successful\* applications have two possible outcomes:

- **Settled status** (5 years continuous residence)
- **Pre-settled status** (less than 5 years residence)

Pre-settled status gives fewer rights and less security. It is temporary but can be upgraded to settled status before it expires

\*Unsuccessful applications are usually due to serious criminal offences

# Exercise

1. Do these residents need to apply to the EU Settlement Scheme ?
2. Please submit your answer in the poll

# Mario & Chiara

Nationality	Both Italian
Age	80 and 75 yo
Years lived in the UK	Since the 1960s
Family	Their son is British

Chiara has some letters from the Home Office and a stamp in her old passport

# Long-term residents

Mario needs to apply despite the length of time he's been in the UK

Chiara may have Indefinite Leave to Remain (ILR) and therefore may not need to apply

However, there are advantages to applying with ILR:

- more practical
- more secure

# Manuela

Nationality	Spanish
Age	19
When moved to the UK	15 February 2020
Family	Single

Manuela is staying with friends and would like to stay in the UK for a the next few years.

# Short-term residents

It's helpful to apply sooner rather than later, to 'start the clock'

Manuela will get pre-settled status and will need to apply again if she stays in the UK long-term

Manuela should start collecting evidence of her residence to help with any future applications

# Julia

Nationality	Slovenian
Age	13
When moved to the UK	Born in the UK January 2007
Family	Both parents are Slovenian

Julia has always attended school in London. Julia's parents came to the UK 4 years before she was born. They were granted settled status in May 2019.

# Children born in the UK

Children born in the UK don't automatically have British citizenship

It depends on when they were born and their parents' circumstances

Children of EU nationals will need to apply

# Safia

Nationality	Somali and Swedish
Age	55
When moved to the UK	2015
Family	Married to a British national

Safia needs a Somali interpreter. She also has a Swedish passport.

# Dual nationals

Safia needs to apply based on her Swedish nationality

Wandsworth residents from Somalia often have a Swedish, Danish, Norwegian or Italian passport

Residents from Pakistan often have a German passport

Residents from Latin America may have a Spanish or Portuguese passport

# Naime

Nationality	Algerian
Age	41
When moved to the UK	2014
Family	Partner is French

Naime lived in France with his partner for 2 years before moving to the UK.

# Non-EU family members

Can include spouse, unmarried partner, parents, grandparents, children, grandchildren

Need to prove the relationship with their EU national partner

# Dorota

Nationality	Polish
Age	32
When moved to the UK	2012
Family	Single

After the referendum Dorota decided to apply for Permanent Residence and got her PR card in September 2018.

# Permanent Residence

Permanent Residence will not be valid after **31 December 2020**

Dorota should apply for settled status, the application process will be faster and easier

Dorota could apply for British Citizenship, if she decides to do that

# Connor

Nationality	Irish
Age	27
When moved to the UK	2019
Family	Husband is a US citizen

Connor's husband travels frequently to various European countries

# Irish citizens

Irish nationals don't need to apply because they're protected by the Common Travel Area (CTA)

They have the option of applying and it may help if they have non-EU family members

Connor's partner needs to apply as the family member of an EU national

# Who needs to apply?

All EU nationals have to apply no matter if they:

- are married to a British national
- have children who grew up in the UK
- have Permanent Residence
- have been living in the UK for a long time
- were born in the UK (unless they are British)

They don't need to apply only if they:

- are Irish
- have Indefinite Leave to Remain (ILR)
- have become a British citizen

# What do you need to apply?

Proof of identity (passport or identity card)

Proof of residence in the UK if the Home Office can't find evidence of continuous residence from National Insurance records, etc.

Declaration of criminal convictions

# Becoming a British citizen ?

## Why

- The right to vote in general elections
- You do not lose citizenship if you move abroad
- British passport, consular protection
- Children born abroad will be British citizens

## Why not

- Some countries do not allow dual citizenship
- It is difficult and expensive:
  - Life in the UK & English language tests
  - Showing good character
  - £1,330 fee for adults
  - Future family reunion may be more difficult

# Help applying for settled status

- Step-by-step guidance on [Gov.uk](https://www.gov.uk) and the [Citizens Advice website](https://www.citizensadvice.org.uk)
- The [EU Settlement Resolution Centre](https://www.settlementresolutioncentre.org.uk) (0300 123 7379) can answer general/individual questions
- ❌ Wandsworth Council offers free [identity document scanning](#) for their residents – *Service suspended*
- ❌ The Home Office have funded a national [network of organisations](#) to help vulnerable people apply. *Most services reduced to phone/email only*

# Employers and the EUSS (1)

Have a duty not to discriminate against EU citizens as both a prospective and current employer

Shouldn't provide immigration advice for their employees, unless qualified to do so

# Employers and the EUSS (2)

Should not check that an employee has applied

There will be no change to right to work checks until 1 January 2021

Have no legal obligation to communicate about the EUSS. However, may wish to direct employees to the information that the government is providing

# Contacting us

Complete our webform: [www.cawandsworth.org/eu](http://www.cawandsworth.org/eu)

Email us at [euadvice@cawandsworth.org](mailto:euadvice@cawandsworth.org)

Call us on 0203 559 2019

# Questions?



We'll start by answering questions submitted through the registration form

Please type your question in the chat

# How to get British citizenship

You can apply for British citizenship after one year\* residence in UK with either

- Settled status,
- Permanent residence
- Indefinite Leave to remain

[New rules since 15 May 2020](#): Simply having settled status is not enough, you also need to satisfy other criteria, for example being a worker or a student

\* No need to wait if you are married to a British citizen

# Use your phone to apply

You can apply using your phone by downloading the 'EU Exit: ID Document Check' app.

Please note that the ID verification app which had previously only been available on Android devices is now available on iPhones 7 and above.

# Free, confidential advice. Whoever you are.

The information contained in this presentation is accurate as of May 2020. If you are looking at the presentation after this date, please seek up-to-date advice.

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