

EU Settlement Scheme and the Rights of EU Nationals

**citizens
advice**

Wandsworth

10 December 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 you and how you can help your European colleagues, friends and neighbors retain their rights
- What is the EU Settlement Scheme (settled and pre-settled status), who needs to apply, and how to apply
- What are your options with regards to British citizenship
- How to get help applying

Brexit timeline

31 January 2020	The UK left the EU and is in a transition period
31 December 2020	Transition period ends
1 January 2021	Access to benefits and services could change
30 June 2021	The current deadline to apply to the EU Settlement Scheme (EUSS)

No plans to extend deadlines due to coronavirus

You need to act !

EU nationals and their family members need to apply to the **EU Settlement Scheme (EUSS)**. The official deadline is **30 June 2021**.

You should apply before **31 December 2020** to avoid the risk of losing access to:

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

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 based on how long you've been living in the UK:

- **Settled status** (5 years or more)
- **Pre-settled status** (less than 5 years)

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

Case studies

You, or someone you know may be in situation similar to the case studies we'll present.

Please ask a question if you'd like to know more.

<https://www.youtube.com/watch?v=HBtyqggq0bro>

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

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	65
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

Dorota

Nationality	Polish
Age	58
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

Pierre

Nationality	Algerian, partner French
Personal circumstances	Pierre is 60 yo. Has a biometric residence card (EEA family permit)
When moved to the UK	Family moved to the UK to join their French son and his family in 2015

Non EU family members

- Although Pierre's partner is European, he needs to apply, as a 'non EU family member'
- Pierre's partner needs to apply too

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

Use your phone to apply

- You can apply using your phone by downloading the app: 'EU Exit: ID Document Check'
- The app is available on Android and Apple phones. You need a fairly recent device (eg iPhones 7_and above)
- You can use a friend's phone and you'll still be able to give your own personal details

You can help – spread the word !

We've met many people who were not aware that they need to apply, or didn't know how to get help.

You can help your European friends, relatives, colleagues, service users by sharing information and signpost them to EU Project should they need support.

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

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

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*

Contacting us

Complete our webform: www.cawandsworth.org/eu

Email us at euadvice@cawandsworth.org

Call us on 0203 559 2019

Questions?



Free, confidential advice. Whoever you are.

The information contained in this presentation is accurate as of 10 December 2020. If you are looking at the presentation after this date, please seek up-to-date advice.

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