

LEVEL UP

COMPETENCES OF THE FUTURE



UK - Butterflies LTD



European Union and EU27/ EEA/ EFTA

EU Settlement Scheme for EU27/ EEA/ EFTA citizens after BREXIT

Presentation of information for Social Care Workers working with EU Citizens in Poland, Ireland, UK

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PART 1

EXPLANATION OF THE POPULAR TERMS

- United Kingdom left the **European Union (EU)** on 31st of January 2020. This is the fourth extension since March 29th 2019.
- When the UK leaves the EU, all EU27/EEA/EFTA citizens must apply to EU Settlement Scheme to secure their right to stay in the UK after BREXIT by 31st December 2020 in case of no deal, by 30 June 2021 in case of a deal.
- Travel to the EU, Switzerland, Norway, Iceland or Liechtenstein will change if the UK leaves the EU with no deal.
- We still do not know if the UK will leave the EU with a deal or no deal.
- On the day you travel, you'll need your passport to both:

have at least 6 months left & be less than 10 years old (even if it has 6 months or more left)

- After Brexit your European Health Insurance Card (EHIC) card may not be valid.
- You'll need an international driving permit (IDP) to drive in some countries.
- After Brexit you will not be able to use the existing pet passport scheme. Instead you'll need to follow a different process, which takes 4 months.

Who are the EU Member States?

There are now 28 Member States to the EU (dates countries joined in brackets):

Austria (1995)	Italy (1952)
Belgium (1952)	Latvia (2004)
Bulgaria (2007)	Lithuania (2004)
Croatia (2013)	Luxembourg (1952)
Cyprus (2004)	Malta (2004)
Czech Republic (2004)	Netherlands (1952)
Denmark (1973)	Poland (2004)
Estonia (2004)	Portugal (1986)
Finland (1995)	Romania (2007)
France (1952)	Slovakia (2004)
Germany (1952)	Slovenia (2004)
Greece (1981)	Spain (1986)
Hungary (2004)	Sweden (1995)
Ireland (1973)	United Kingdom (1973)

- **EU/EEA list of countries / citizens who must apply to EU Settlement Scheme**

- If you are, regardless of your origin, a passport holder of EU/EEA country you still must apply (unless one of the passports is British) to the EU Settlement Scheme:

- **The countries are:** Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece , Hungary, **Ireland***, Italy, Latvia, Lithuania , Luxembourg, Malta , Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden

- **EEA:** Iceland, Liechtenstein, Norway

- **EFTA states:** Iceland, Liechtenstein, Norway, (+Switzerland)

- Brexit means that the **arrangements and agreements of the UK's membership of the EU will end**

- This includes the right of EU citizens to freely live and work in the UK.

- A no-deal Brexit means the UK would leave the EU with no agreement in place and will become a third country.
- If a special deal between EU leaders and UK politicians isn't agreed, then the UK could leave the EU with no deal in place. This would be a **no-deal Brexit**.

Changes in no deal BREXIT scenario example:

- Some border checks could be re-introduced which means that a new immigration system will be introduced while going abroad
- EHIC card won't be acceptable if going abroad
- New system in place for taking pets abroad
- Transport and trade between the UK and the EU could be severely affected
- Adults may not be able to drive in EU countries without a special driving licence
- It could cost more money to use your phone abroad in EU countries no further funding for Universities from the EU
- No free movement

**I work here, study here, pay taxes,
I have a permanent residency card**

Why do I need to apply?

PART 2

EU SETTLEMENT SCHEME

- As a EU27/EEA/EFTA citizen your rights are secured under the EU law. When the UK leaves the EU, domestic law applies. The **freedom of movement for workers** is a policy chapter of the of the European Union.
- To secure your rights you must apply to EUSS EU SETTLEMENT SCHEME asap
 - the government urges as there is longer period to wait for a decision.
 - Support from Immigration Adviser Level 1

- To obtain **settled status** EU citizens and their family members will generally need simply to have lived continuously in the UK for **five years**. Those with **less than five years'** residence will be granted **pre-settled status** until they accumulate their five years. For a year to qualify as being resident in the UK, we need six months of evidence (half of year and 1 day) from that 12 month period.
- To lessen the burden on applicants, Home Office checks the **employment and benefits records the Government holds based on National Insurance Number** to establish the period of residence, meaning most applicants won't need to do anything to prove their residence.
- Where there are gaps, a wide variety of documents can be photographed and uploaded as **evidence**. Applicants can upload **different types of evidence to demonstrate different periods of residence. (link to the list of documents added at the end of the presentation under "Useful Links" section**
- Caseworkers **will work proactively with applicants** to help them evidence their qualifying period of residence in the UK **by the best means available to the applicant.**

There are two categories within the EU Settlement Scheme:

You need to apply to the Scheme

You don't apply for a Settled or Pre – Settled Status so applicants regardless of the time of residency in the UK go through the same application process and questions.

You will be 'offered' a certain status at the end of your application

You may be offered a lower status – if you live in the country over 5 years and a SYSTEM offered you the PRE – Settled – DO NOT ACCEPT IT – contact us for further questions.

The Settled Status is based only on residency - you do not need to work to qualify for the Settled Status

- **SETTLED STATUS** for applicants with **five years continuous residence in the UK** when they apply.
- **PRE-SETTLED STATUS** for those who have **not yet lived continuously in the UK for five years.**
- You can **apply for Settled Status when you reach five years** of continuous residence or when your pre-Settled Status expires.
- But you must have **lived in the UK for at least six months in each year**

- Once an **applicant has settled status**, they are **able to stay in the UK for as long as they wish**. They can also **leave the UK for up to five years without their settled status lapsing but they must not exceed 180 days outside of the UK continuously**. Swiss citizens and their family members can spend up to four years outside the UK without their settled status lapsing. Those with **pre-settled status will be given five years' leave to accumulate the five years' continuous residence generally required for settled status from the date they arrived**. They will then be able to apply for a full settled status (ILR)
- Those who **hold Permanent Residence will need to convert this to settled status**, by applying to the EU Settlement Scheme. Those who **hold existing indefinite leave to remain do not need to apply** to the EU Settlement Scheme, but may do so if they wish, to swap this for settled status – as this indefinite leave to remain granted under the scheme has additional benefits, like the period which can be spent outside the UK before it lapses.
- **Irish citizens do not need to apply to the EU Settlement Scheme** to protect their status and rights. They are covered by Common Travel Area (CTA) arrangements.



- There are **three ways** for applicants to verify their identity;
- **Using the 'EU Exit ID Document Check app':** This option is currently available on android devices and iPhone 7 up and available to resident EU citizens (and their EU citizen family members) with a valid biometric passport, and to their non-EU citizen family members holding a valid biometric residence card, so that they can prove their identity remotely. There are also local hubs with android devices where applicants can go to have their identity checked remotely. (The closest one to Bradford is in Halifax; it might not be a free service)
- **Send an identity document in the post:** This will allow caseworkers to check applicants identity as part of the application process.
- **Face to face:** Applicants can have their identity verified face to face, in one of the passport offices across the UK. (it's usually chargeable service)
- You can apply to EU Settlement Scheme and complete the application on ANY device with an Internet Access.
- Proving you identity and completing the application for Settled Status (Settled and Pre-settled – both called a Settled Status) is separate task.

- The application form will ask if **an applicant has any criminal convictions**, both in the UK and overseas. Applicants will be checked against the UK's crime databases.
- If the applicant has any convictions including spent convictions it must be declared. Only Immigration Adviser LEVEL 2 and above can deal with the caseload. At the moment only CHAS @St Vincent and Garlington Advice Centre offers a free support on level 2 as those 2 organisations have been funded by BMDC and Home Office .
- You can appoint your own private immigration adviser / solicitor but you would have to pay their standard fee
- This is to determine an applicant is not **a serious or persistent criminal**, and that the applicant **doesn't pose a security threat**. If an applicant has been **convicted of a minor crime, they will still be eligible for either pre-settled status or settled status**.
- An applicant may still get pre-settled status or settled status **even if they have other convictions**. All of these applications will be **assessed on a case-by-case basis**.
- If an **applicant has been to prison**, that time does not count as residence in the UK **but they are still able to apply to the EU Settlement Scheme** where they are released before the 'specified date'.

PART 3

EVIDENCE OF RESIDENCE

Evidence that covers longer periods of time

- Documents that cover a longer period of time between 2 dates include:
- 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.

Evidence that covers longer periods of time

- 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).
- a P45 showing the length of your previous employment. You should get a P45 from your employer when you stop working for them
- Home Office may ask you for additional evidence to confirm that you were resident here for at least 6 months of that period.

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

What if EU citizens do not apply?

If for any reason, EU citizens who live in the district do not apply for Settled Status or EU-ILR, they risk losing rights including:

- Right to live in the UK
- Right to work
- Right to rent
- Right to free NHS
- Right to banking
- Right to benefits
- Right to services
- Right to drive

That's why it's absolutely vital to ensure that if you or your family are EU citizens living in the UK, that you apply for Settled Status or EU-ILR as soon as you can.

- During the Implementation Period, EU citizens will continue to be able to use their passports or ID cards to evidence their rights and entitlements. These online services provide them with an alternative way to demonstrate this
- The Home Office is developing a range of online services, enabling migrants to access their **immigration** status, and prove their **entitlement** to a range of public and private services – such as work, rental accommodation, healthcare and benefits
- An online **Right to Work** service – enabling holders of Biometric Residence Permits (BRP) and Biometric Residence Cards (BRC) to check their own right to work status and share this securely with employers went live in April 2018.
- An online status service has been developed for those granted status under the EU Settlement Scheme – ‘**view and prove your rights in the UK**’. You can share you status with your employer (you would need work email address to do so). Employer then will be given the code via work email. Employer must download your proof of a status and keep it within your files.
- This service will be further developed as the scheme launches, enabling users to share their rights with other service providers, such as landlords, and will continue to iterate and improve these services based on user feedback

- EU Settlement Scheme: www.gov.uk/eusettledstatus
- Organisation providing free support around EUSS in Bradford District commissioned by Bradford Metropolitan District Council <https://www.bradford.gov.uk/your-community/brexit-and-the-settlement-scheme/access-support/>
- Bradford Metropolitan District Council Information <https://www.bradford.gov.uk/your-council/about-bradford-council/brexit-what-you-need-to-know/>
- Bradford Metropolitan District Council Information EU Settlement Scheme <https://www.bradford.gov.uk/your-community/brexit-and-the-settlement-scheme/what-is-brexit/>
- Bradford Metropolitan District Council Information EU Settlement Scheme <https://www.bradford.gov.uk/your-community/brexit-and-the-settlement-scheme/what-are-settled-status-or-pre-settled-status/>
- ID document scanner locations: www.gov.uk/government/publications/eu-settlement-scheme-id-document-scanner-locations
- Applying for Settled and Pre – Settled Status <https://www.gov.uk/settled-status-eu-citizens-families/applying-for-settled-status>
- Assisted Digital Service: www.gov.uk/government/publications/eu-settlement-scheme-assisted-digital-service
- Citizens' Rights in a no deal: www.gov.uk/government/publications/policy-paper-on-citizens-rights-in-the-event-of-a-no-deal-Brexit
- Evidence of Residence if the system hasn't found you <https://www.gov.uk/guidance/eu-settlement-scheme-evidence-of-uk-residence>
- Visiting Europe after BREXIT <https://www.gov.uk/visit-europe-brexit>
- Driving in Europe After BREXIT <https://www.gov.uk/guidance/driving-in-the-eu-after-brexit-international-driving-permits>
- Pet Travel after BREXIT <https://www.gov.uk/guidance/pet-travel-to-europe-after-brexit>
- Foreign Travel Advice <https://www.gov.uk/foreign-travel-advice>
- Sign up for EUSS updates: <https://gov.smartwebportal.co.uk/homeoffice/public/webform.asp?id=67&id2=627DF7>