European Londoners Hub
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How to apply to the EU Settlement Scheme

The Mayor, Sadiq Khan, has been clear that EU citizens living in London belong and are welcome in our great city.

To make sure EU citizens and their families have all the information they need about living in London after Brexit we have created the European Londoners Hub to give you clear and impartial information and, if required, guide you to further support and advice.

Why do you need to apply?

EU regulations for Freedom of Movement no longer apply to the UK, so the UK Government has made it compulsory for EU, EEA, and Swiss citizens, along with their family members, who wish to remain legally in the UK after 30 June 2021, to apply for a new residence status by this date. This is called the EU Settlement Scheme and it grants Settled Status which is Indefinite Leave to Remain (ILR), or pre-Settled Status which is Limited Leave to Remain (LTR) to successful applicants.

The UK Government has stated that they expect that the vast majority of applicants will be successful, with only very few exceptions related to convictions for serious crimes. You will have to provide evidence that you have lived in the UK for five consecutive years (continuous residence) to be eligible for Settled Status when you apply. If you moved to the UK on or before 31 December 2020 but have not lived here for five consecutive years when you apply, you may be granted pre-Settled Status. If you have pre-Settled Status you can apply for Settled Status once you have five years of continuous residence in the UK. If you are granted pre-Settled Status, it is very important to make an application for Settled Status before your pre-Settled Status expires otherwise you will have no lawful residence in the UK.

If you want to continue residing lawfully in the UK in the future, you must apply for either status before 30 June 2021.

Your eligibility

We can help you check your eligibility to the EU Settlement Scheme (EUSS) by clicking on the button below and answering a few simple questions. Your answers will help us direct you to further information and, if appropriate, the Home Office’s application page. If you think you know your eligibility already, you can go directly to the application page.

What else do I need to know about applying to EUSS?

You have until 30 June 2021 to apply to the EUSS however, we strongly recommend you apply as soon as possible. Applications received after 30 June 2021 may still be considered by the Home Office if there is a good reason why you were not able to apply by 30 June 2021.

Your eligible family members who do not currently live in the UK can apply at any time after the end of the Transition Period to join you in the UK.

The following guidance will help you find out about your status and what you and your family members will need to complete an application.

We will regularly update this hub with new information as soon as we are aware of any changes.
Can I apply for Settled or Pre-Settled status?

If you have lived in the UK continuously for a five-year period, you can apply for Settled Status. To be continuously resident you must have been residing in the UK for at least six months in any 12-month period during the 5 years. In the application process you will be asked to confirm your identity, provide evidence of the length of your stay in the UK and be asked to declare any criminal convictions. Within your five-year qualifying residence you are allowed one period of time outside of the UK which is longer than six months as long as it is a single absence that does not exceed 12 months and is for an ‘important reason’. Important reasons are narrowly defined, the list includes pregnancy, childbirth, serious illness, study, vocational training or an overseas posting. Absences due to the Coronavirus may be considered an important reason, but only in limited circumstances. Read our page about continuous residence for more information.

Any absence from the UK because of military service or in Crown service does not break your qualifying residence even if this absence exceeds 12 months.

If you have lived in the UK for less than five years by the end of December 2020, you will be able to apply for pre-Settled Status. Once you reach five years of continuous residence, you will then be able to apply for Settled Status.

What if I already have Permanent Residence or Indefinite Leave to Remain or Indefinite Leave to Enter?

Settled Status is a new type of Indefinite Leave to Remain from the type people have been granted in the past. Those who already have Indefinite Leave to Remain or Indefinite Leave or to Enter (ILR/E) the UK already have permission to live in the UK after the end of the Transition Period. However, they might wish to apply for Settled Status to make it easier to access the additional rights agreed under the Withdrawal Agreement, such as the right to a five-year absence and the right to be joined by eligible family members. Some people might also find it easier to demonstrate their right of residence with Settled Status which is digital and can be accessed at all times. Old style ILR is often stamped in an old passport which can unfortunately be lost.

People who hold a valid Permanent Residence document or card must apply for Settled Status, as the Permanent Residence status will become invalid on 30 June 2021. Although the status will become invalid, the document however may still be useful as it can show that any of your children born in the UK after you attained permanent residence are automatically British citizens. During the application process you can indicate whether you have ILR/E or Permanent Residence. You will need to declare that you have not been absent from the UK for any periods of more than 2 years if you hold ILR/E or 5 years if you hold a Permanent Residence document or card. In most cases you should not have to provide evidence of the length of your residence in the UK after you have received ILR/E or Permanent Residence.

If you have Indefinite Leave to Remain or Enter but cannot provide proof of this, for instance you have lost your documents or they have been destroyed for some reason, and you arrived in the UK before 31 December 1988, you can choose to apply using either under the Windrush Scheme or the EU Settlement Scheme process. But you must make sure you have applied to either one to protect yourself.

If you are uncertain about your rights, always seek independent legal advice. Resources available to you in London can be found on our support services page.

Does this also apply to Irish citizens?

Irish citizens have an alternative right of residence in the UK that was not reliant on the UK’s membership of the EU and are considered ‘settled’ from the moment they take up residence in the
UK. They will not be required to apply for the new status under the EUSS, although they can apply if they would like to.

Family members of Irish citizens who are not Irish, British or do not hold ILR/E will need to apply for Settled Status or pre-Settled Status to ensure they remain lawfully resident in the UK. Eligible family members of Irish Citizens living in the UK will be able to obtain Settled Status or pre-Settled Status under the EUSS without the Irish citizen doing so.

Do children need to apply?

All family members will need to apply individually, although parents or guardians will need to complete the applications on behalf of children in their care. Children under the age of 21 who have a parent with Settled Status, will be eligible for Settled Status upon application, even if they have lived in the UK for less than five years. This applies also to children who arrive in the UK after 31 December 2020.

Applications for looked after children should be submitted by the authorities in whose care they are placed. A child who is in the care of their local authority for more than 24 hours is known as a looked after child.

Children born in the UK with one parent who is already a UK citizen, or has Permanent Residence or Settled Status when they were born, are British citizens and do not need to naturalise or register. Some exceptions may apply to this. You can find out more information about whether a child might already be British.

For children who have been adopted a legal adoption document that is recognised in the UK will have to be provided. Children born or adopted after 31 December 2020 will also be protected. Read examples of how Settled Status and pre-Settled Status apply to different families.

What about people who need more help?

The Home Office is aware that there are many reasons why people will not have easy access to information or are not able to understand or navigate through the EUSS system without assistance. They may not have access to computers or know how to use one, they may have a limited understanding of the English language, they may have a disability or other health issues that prevent them from engaging with the application process easily or without support. For people who are unable to access online services, or find this difficult, an Assisted Digital service is available. Assisted digital support can include telephone support, face-to-face support at selected libraries or at home for anyone unable to access either of these services.

The Home Office has consulted with user groups that represent a variety of communities; however, this remains an area of particular concern and individual conditions and circumstances of applicants may demand specific support. The Home Office currently funds 72 organisations including some local authorities that are identifying and reaching out to those eligible to apply to the EUSS, as well as offering specific support to them with making their application. This includes people in care, people that are hospitalised for a longer period and elderly, as well as travelling communities (Roma) and those with no fixed address. The Mayor is also funding organisations to provide this support in London.

The Home Office has a dedicated help line and other services. If you have any questions about the application you have made, you can contact the EU Settlement Resolution Centre on 0300 123 7379 (inside the UK) or on +44 (0) 203 080 0010 (outside the UK). Details of charges can be found here www.gov.uk/call-charges. You can also ask a question using the online submissions form eu-settled-status-enquiries.service.gov.uk.
We have identified **independent support and advice services** in London that may be able to assist.

**What if you have dual citizenship?**

For European nationals who also are British citizens, you will continue to be able to access the same rights as now without the need to apply for Settled Status; your British citizenship provides your right to live in the UK indefinitely. Additionally, you may still retain the rights agreed in the Withdrawal Agreement – depending on how you acquired your British citizenship – although the UK Government has not yet provided details of how dual citizens will prove their entitlement. See the next section for more details.

**Can I apply for British citizenship?**

If you hold a valid Permanent Residence document or card or have Indefinite Leave to Remain or Enter (ILR/E), you may also be able to apply for British Citizenship. You can also do this once you have been granted Settled Status. Unless you are married to a British citizen you will have to wait 12 months from when you acquired any of the above statuses before you can apply. There is more information about [how to apply for British Citizenship here](#).

However, not all nations allow their citizens to hold a passport of another country, or only under specific circumstances, so you may have to lose your current nationality if you become a British citizen. If you are eligible for British Citizenship and want to apply for this, it may be good to check first with your embassy whether you can retain the passport of your country of birth and under what conditions.

**What about non-European family members?**

European Citizens who are resident in the UK by 31 December 2020 can sponsor their family members who were living with them before this date under the EUSS (this will mainly be non-European family members) and can also be joined in the UK by eligible family members who were not living in the UK by 31 December 2020 (this covers both European and non-European family members). Although Irish citizens do not need to apply to the EUSS themselves they can still sponsor family members to live with them or join them in the UK by showing that they would be granted either pre-Settled Status or Settled Status if they made an application. There are special rules for British and Irish citizens who were born in Northern Ireland who can also sponsor family members under the EUSS; see [here](#) for more information.

Eligible family members are spouses, civil partners, unmarried partners (called durable partners) where the relationship existed before 31 December 2020. Also included are dependent parents and grandparents, as well as children under 21 or dependent children over 21. Some extended family members not included in the preceding list can apply to the EUSS but only if they have made an application for a Home Office document as an “extended family member” before 31 December 2020.

The applying family member must provide evidence of their relationship to their European citizen family member (for example, a birth, marriage or civil partnership certificate). This evidence can be scanned and submitted through the online application form. They will also need to provide evidence of their family member’s identity and UK residence if they have not yet obtained Settled Status or pre-Settled Status themselves.

For European citizens who have obtained British citizenship in addition to their European citizenship, in some cases they can sponsor their family members under the EUSS but this will depend on their situation at the time when they became a British citizen. They will need to have been exercising their free movement or treaty rights when they became British to be able to sponsor their family members. This follows a Court of Justice of the EU judgment called **Lounes**.
Family member sponsorship under the EUSS does not apply to British Citizens who have subsequently obtained a European passport (including Irish), as they did not immigrate into the UK and are not considered to have exercised their free movement or treaty rights. They will be treated as a British citizen without European citizenship for immigration purposes. They can still sponsor non-British or non-Irish family members to live with them in the UK but under the non-EUSS Immigration Rules.

If you are not certain about the status of your dependents and family members, you may want to ask for independent advice. Organisations in London that you may want to ask for independent advice.

**What about EU citizens temporarily living outside the UK?**

Under the Withdrawal Agreement agreed between the EU and the UK, those who are granted Settled Status can live outside the UK for five years without losing their status. EU, EEA or Swiss citizens who have previously lived in the UK for five continuous years but do not live here at the moment, may also be eligible to be granted Settled Status as long as they have not been absent from the UK for more than five years since they stopped living here (see the section on applying from abroad).

If you have not completed your five-year continuous residence currently, you need to make sure that you do not spend more than six months outside the UK in any 12-month period to ensure that you do not break your continuous residence period that you need to qualify for Settled Status (unless you are spending up to 12 months outside the UK in a single period for one of the important reasons listed above). See our page on Continuous residence and EUSS for more information.

**What happens to EU, EEA or Swiss citizens arriving after 31 December 2020?**

For European citizens who have not lived in the UK before 31 December 2020, their right to stay in the UK will be considered under the new immigration rules put in place after the end of the Transition Period.

This does not apply to close family members of European citizens with Settled Status or pre-Settled Status in the UK who can be sponsored to join their family members under the EUSS. See here for more information.

**How can I apply?**

The EUSS involves an identity check as part of the application. The easiest and quickest way to complete the identity section of your application is using the EU Exit: ID document check app, which is now available on both Apple iPhone 7 or newer models and Android 6.0 and above. The app should be able to scan your passport and it can read the chip with biometric data.

There are also ID document scanning services are available at a number of centres (charges may apply), although most are currently closed due to Covid-19.

Some specific applications require you to submit a paper application or you can request a paper application form if you are unable to complete the process online. You must contact the EU Settlement Resolution Centre to request a paper application form which will be sent to your home address.

For people who are unable to access online services, or find this difficult, you can use Assisted Digital service for free. Assisted digital support can include telephone support, face-to-face support
at selected libraries or at home for anyone unable to access either of these services or is not confident to make an online application.

**What documents and other information do I need?**

You will need a valid passport or national identity card to apply. To use the phone scanning app or the ID document scanning services you will need a biometric passport or national identity card. A biometric document contains a chip (like a bank card has a chip) that holds information on you. If your document is not biometric then you will have to send this to the Home Office in the post, they will take a copy and return the document to you. Family members who are not European citizens cannot use the phone scanning app unless they already have a biometric residence card.

You will need proof of residence in the UK, unless you already have a valid Permanent Residence document, or Indefinite Leave to Remain or Indefinite Leave to Enter the UK. If you have paid tax through work, received benefits or a state pension, you can use your National Insurance number to help confirm that you have been residing in the UK. The application process will automatically check your National Insurance number with HMRC and DWP to check if you are resident in the UK.

If there is not enough information held on national databases, such as HMRC or DWP, you will be asked for further evidence to prove your continuous residence. This could include:

- P60s or P45s
- payslips
- bank statements
- utility bills, Council Tax bills, phone bills (mobile and landline, as long as they have your name and address)
- annual business accounts
- employer contracts or letters confirming employment
- letters, invoices or certificates from accredited educational organisations
- passport stamps confirming entry at the UK border
- airline or train tickets confirming travel into the UK
- letters from care centres, GPs, or hospitals, as well as medical appointments

There are currently limitations on the number of documents you can scan and upload to the online application form. If the Home Office needs additional documents relating to your residence in the UK, they will contact you and request that you provide them. You will not need to provide evidence of your entire residence in the UK. You will only need to provide evidence for the period that proves you are eligible for Settled Status (5 years of UK residence) or pre-Settled Status (UK residence at some point within the last 6 months).

If you are a non-European applying to the EUSS you will need to provide evidence of your relationship to your European family member with your application.

If you are not able to provide any further information or proof of residence, the Home Office has stated it will engage with you further to help determine your residence in the UK.

There is a useful [checklist of documents and information](#) that you can use to help support your preparation to apply.

**Criminality checks**

You will be asked to declare any criminal convictions that appear in your criminal record in the UK and overseas, or that of any children between the ages of 18 to 21, who you are submitting an application for. These will be checked against the UK’s crime databases. 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 may still be eligible to apply for Settled or pre-Settled Status if you have convictions as they will be assessed on a case-by-case basis. However, it may well be a good idea to seek independent legal advice prior to making your application, especially if you have had more than one conviction or a custodial sentence of 12 months or more. We have provided a list of independent legal advisors.

Is there a cost?

It’s free to apply for the EUSS.

However, costs may still be attached to other parts of the process, such as the use of the document and ID checking service in dedicated centres, usually around £14 per applicant. Applicants who are non-European citizens may also need to use the UKVCAS visa centres to enrol their biometric information as part of the application process. There are some free appointments at the core centres but as these are only in major UK cities, it can cost money to travel to the core centre or, as an alternative pay for an appointment at a more local visa centre to you. If you have a complicated situation and are not able to find free immigration and legal advice, you may have to pay for the cost of a lawyer.

Applying from abroad

Applications can be made from abroad using the ID scanning app and online application process. The ID scanning app can only be used with valid passports and national ID cards that contain an interoperable biometric chip. For non-European applicants, you can only apply from outside using the ID scanning app if you have a valid biometric residence card or biometric permanent residence card issued under the EEA Regulations. If you do not have access to these documents, then you will need to contact the EU Settlement Resolution Centre to establish whether you are eligible to apply with alternative evidence from outside of the UK.

Checking your email for the outcome of your application

Check your email regularly as the Home Office approval letter will be sent to the email address you provided for your application. You should check your ‘junk mail’ or ‘spam’ folder too, as the approval letter can sometimes end up in there.

It is likely to take between five working days and one month for the Home Office to process your application if no further information is required. If further information is required or your application is complex, it can take longer than this. You can call the Home Office EU Settlement Scheme Resolution Centre number (0300 123 7379) to ask for an update on your application.

Once you receive the approval email, print it off with the attached approval letter or save it in your inbox for future reference. Although this letter is not proof of your status, you may want to refer to the information provided in it later to update the digital information held by the Home Office.

Do I get proof of my Pre-Settled or Settled status?

If you are granted Settled Status you will not get a document to prove this, instead you will get a digital status that you can access through the gov.uk portal. If you are ever required to provide proof of your status, for instance for a new employer or landlord, you can provide them with an access code and web link, so that they can confirm electronically your status. They will not have access to any other information about you through this link. Until 30 June 2021 European citizens
are not required to show their digital status to an employer or landlord as you can still rely on your passport or national ID card.

Can I appeal the Home Office’s decision?

There are several reasons why you may wish to challenge the Home Office’s decision. The most common reasons are:

- You are granted Pre-Settled Status but believe you are eligible for Settled Status; or
- You have been refused Settled Status or Pre-Settled Status

During your online application, you will also be asked how long you have continuously lived in the UK. The application process will then tell you whether the automatic National Insurance number checks can find five years of continuous residence. If these checks do not show five years continuous residence, you have the opportunity to upload more evidence to show that you should be granted Settled Status. If you have not lived in the UK for five continuous years you can accept pre-Settled Status as the right outcome for your situation. If the automatic checks cannot find any UK residence for you, you will be asked to upload residence evidence to show that you qualify for either Settled Status or pre-Settled Status.

If you are granted pre-Settled Status but believe you are eligible for Settled Status, you will need to decide whether you can successfully challenge this decision. If you do not have additional evidence to show five years continuous residence, you may choose to accept Pre-Settled Status in the first instance. You could then reapply for Settled Status if you discover further evidence that can prove your residence. Before doing so, you should contact an immigration adviser or the Home Office’s EU Settlement Resolution Centre.

Alternatively, you may wish to apply for a review of the decision. This is called an administrative review. A request must be submitted within 28 days of the date of the decision. An £80 fee applies but may be refunded if: a) the application is successful, or b) if the application is rejected because it is invalid. The fee will not be refunded if the review is successful because you have submitted additional information. You can request a review through an application form.

Another way to challenge a decision that you disagree with is to appeal to the First-tier Immigration Tribunal. An appeal to the tribunal means that the Home Office’s decision will be reviewed by an independent immigration judge who will look at your situation and the evidence you submitted, to decide whether or not they agree with the Home Office’s decision. Appeals to the Tribunal cost £80 if you want the appeal to be based on your documents or £140 if you want to give oral testimony to the immigration judge in person. It is a good idea to talk your case through with a qualified immigration advisor before making an appeal to the Tribunal so that you understand the chances of your appeal being successful. Here you can find a list of independent legal advisors who may be able to help.

If you are refused Settled Status or Pre-Settled Status then you will need to either apply again, apply for administrative review or appeal to the First-tier Immigration Tribunal. What approach you should take will depend on why you have been refused. Being refused status under the EUSS is very serious and so if this has happened to you then it would be a good idea to speak to a qualified immigration advisor. Here you can find a list of independent legal advisors who may be able to help.

Conditions for retaining Pre-Settled or Settled Status once granted

To keep Settled Status you should not leave the UK for a continuous period of five years or more as your status will end if you are away from the UK for more than five years. If you are convicted of a crime, the Home Office may cancel your Settled Status and try to remove you from the UK.
Other than these two reasons you will retain your Settled Status – and right to live in the UK as you are now – for life.

To keep Pre-Settled Status, you must maintain your continuous residence in the UK, please read our section about continuous residence for further information. You must also ensure that you apply for Settled Status after you have resided continuously in the UK for five years or before your Pre-Settled Status expires. If you are convicted of a crime, the Home Office may cancel your Pre-Settled Status and try to remove you from the UK.