|  |  |  |
| --- | --- | --- |
|  | **PRE-SETTLED STATUS** | **SETTLED STATUS** |
| **What is it?** | UK immigration status called**Limited**Leave to Remain | UK immigration status called **Indefinite**Leave to Remain |
| **Who is it for?** | EU, EEA, Swiss citizens and their family members who   * reside in the UK by 31 December 2020 * have no serious criminal record * have lived in the UK for **less than five years** | EU, EEA, Swiss citizens and their family members who   * reside in the UK by 31 December 2020 * have no serious criminal record * have lived in the UK for **at least five years**, during which time they spent less than six months abroad in any 12-month period (unless for compulsory military service, a single absence of 6-12 months may be allowed for an "important reason"). This is called **"continuous residence"** |
| **How long is it granted for?** | **For five years**, but you will lose it if you leave the UK for a period of two consecutive years.  However, it should be noted that in order to qualify for ‘settled status’ you will have to have continuously lived in the UK for 5 years or more and have not spent over 6 months overseas in any 12 months period.  Please note that if you are granted pre-settled status on the basis of your residence in the UK before the end of the transition period (31 December 2020) you would not meet the requirements for an extension of pre-settled status if, after that date (31 December 2020), you break the continuity of your residence by being outside the UK for more than 6 months in any 12-month period regardless of whether you returned to the UK within 2 years, thus retaining pre-settled status.  It can also be revoked for subsequent criminal offending. | **Forever,**but you will lose it if you leave the UK for a period of five consecutive years (four years for Swiss citizens).  It can also be revoked for subsequent criminal offending. |
| **When do I need to re-apply?** | **You need to re-apply**to change your pre-settled status to settled status before your pre-settled status expires. You will be able to do this as soon as you accrue five years of "continuous residence" in the UK. | **Never!**  **You do not need to re-apply,** |
| **What are my employment and welfare rights?** | You will enjoy the same rights to live, work and healthcare, but pre-settled status **does not count as "right to reside" for the purposes of welfare benefits.**  To access welfare benefits you must be able to show your “right to reside” under the EEA Regulations by being a worker for example. This may not matter now but if you need to access support because of ill health, unemployment or domestic abuse you will need to demonstrate your “right to reside”. | You will enjoy **the same rights** to live, work, healthcare and welfare benefits **as British citizens** as your settled status is evidence that you have a right to reside in the UK. |
| **Can I apply for British citizenship?** | **No,**you need to be settled in the UK before you can apply. | **Yes.** But please note, an adult can only apply to become British after holding settled status for a year - unless you are married to a British citizen in which case you can apply to become British as soon as your settled status is granted.  There are specific criteria that need to be met to become British and so you should check that you meet all the requirements before applying |

**USEFUL LINKS: -**

**THERE ARE SEVERAL LINKS FOR FAMILIES/FAMILY MEMBERS WHICH ARE SELF-EXPLANATORY**

<https://www.gov.uk/family-permit/eu-settlement-scheme-family-permit>

**CHECKING SHARE CODE**

<https://www.gov.uk/check-immigration-status>

**THE USER GUIDE FOR LANDLORDS & TENANTS – UPDATED NOVEMBER 2020**

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/931769/Right_to_Rent_Checks_A_user_guide_for_tenants_and_landlords.pdf>

**EU Settlement Scheme Resolution Centre**

Telephone: 0300 123 7379

From outside the UK: +44 203 875 4669

Monday to Friday, 8am to 8pm

Saturday and Sunday, 9.30am to 4.30pm

You can [ask a question about the scheme](https://eu-settled-status-enquiries.service.gov.uk/start) on GOV.UK - they'll reply within 5 working days.

**KEY INFORMATION**

Applying to EUSS is mandatory for all EU citizens (excluding Irish, for whom is voluntary) and their non-EU family members, if they wish to remain in the UK, with a deadline for applying set on 30 June 2021 for those who are resident in the UK by 31 December 2020.

If an EU, EEA or Swiss citizen has not made an application to the EU Settlement Scheme by 30 June 2021, **they will become unlawfully present and will be at risk of losing access to employment and benefits, as well as being subject to other sanctions, such as being unable to rent from a private landlord in England or get free secondary healthcare. They could also be subject to Home Office enforcement action.**

The Home Office has said, beyond 30 June 2021, late applications will be entertained if there is a ‘reasonable excuse’ for the delay. What reasonable excuse entails or means could be wide-ranging and it is unknown until it happens. Some examples of reasonable grounds have been provided:

* Children whose parent, guardian or local authority fails to apply on their behalf
* People in abusive or controlling relationships who were prevented from applying
* Those who lack the physical or mental capacity to apply.