EU Settlement Scheme

Student Immigration Team
2nd June 2021

Jo Aldhouse and Nahid Tonge
student.immigration@admin.ox.ac.uk
Introduction

Today we will cover…

• What is the EU Settlement Scheme?
• How and where to apply
• Family members
• Questions
Your rights

• Rights of EU nationals who were already living in the UK by 31 December 2020 will be protected

• You will have same rights as currently to live, work and study

• You can continue to prove your rights to live in the UK using your passport or ID card until 30 June 2021

However

If you are not granted residency under the EU Settlement Scheme you will need to apply for a Student visa if you want to stay beyond June
What is the EU Settlement scheme

• A free application process to confirm your rights

• You will be granted either ‘pre-settled status’ or ‘settled status’, meaning you can continue living in the UK long-term

• You have until 30 June 2021 to apply, however you need to be able to prove you had residence in the UK before 11pm 31 December 2020

• Some absences are allowed without breaking your ‘continuous qualifying period’
Who should apply?

- All EEA and Swiss nationals who wish to remain in the UK after June 2021
- Irish nationals do not need to apply, but can if they wish
- Those holding Indefinite Leave to Remain* do not need to apply
- Permanent residence** card holders must apply but can access a streamlined service

* Immigration permission without conditions or end date
** applied for under pre-Brexit rules after 5 years’ residence
Where can I apply from?

• If you are already in the UK you can apply from here

• If you are outside of the UK then you can apply from outside of the UK as long as:

  - You can prove your residence was before 31 December 2020

  - You were away from the UK for not more than 6 months

  - You can be away for up to a year for an ‘important reason' Covid is included in this if studying remotely.
What do I need to apply?

• You will need the following to apply:

  ➢ A valid passport or national ID card with a chip (gold logo)
  ➢ Android phone/device with Near Field Communication (NFC) or iphone 7 or above, or *Oxfordshire County library
  ➢ Digital photo of your face (you can take this on your phone whilst in the application)
  ➢ Proof of UK residence

• No paper forms; don’t need NI (national insurance) number

• Application designed to be streamlined and user-friendly – however terminology can be confusing!
What you may get: *Pre-settled status*

- If you have been living in the UK for less than 5 continuous years
- Pre-settled status granted for 5 years
- After 5 years continuous residence, you can apply for settled status
- Confirms all your rights in UK—study, work, NHS, public funds
- Can spend 2 years outside UK and not lose pre-settled status but note that long absences could affect later eligibility for settled status
What you may get: *Settled Status*

- Called ‘*indefinite leave to remain*’ on your decision letter

- If you have been continuously resident in the UK for at least 5 years – including in the past in some circumstances

- Continuous residence means:
  no more than 6 months absence from the UK in any 12 month period during the 5 years, except for:

  - Single period of absence which did not exceed 12 months and was for an important reason such as pregnancy, childbirth, serious illness or study. Covid is included in this if you have been studying remotely, or prevented from return by illness or travel bans

- Confirms all your rights in UK- study, work, NHS, public funds

- Can stay 5 years outside UK without losing status (4 years if Swiss)
Starting the online application

https://apply-to-visit-or-stay-in-the-uk.homeoffice.gov.uk/

Split into two parts:
Application form
Prove your identity

Proving your identity: 3 ways to prove your identity.

1. Use the app ‘EU Exit: ID Document check’. – most convenient
   If you can’t do this on your own phone/device:

*Go to a Home Office approved centre to have your ID scanned.
   - Oxfordshire County Library in Westgate Centre
   - Oxford Register Office (near Nuffield) 9am-11am Mon-Friday

Post your documents to the Home Office
Using the EU-exit app

• Download the app on your android device: ‘EU Exit-ID document check’

• Scans your passport or national ID card and adds it to your application

• Scans your face to check match with passport/ID

• Takes a photo

• After you have finished using the app, you will be sent an email to direct you back to complete the online application

• The app sends information securely. No information is stored on the device or in the app
Using the EU-exit app

**Useful tip:**
Move the phone if necessary as it may depend where your NFC chip is located.
Using the EU-exit app

Scan your face

⚠️ The screen will flash as it scans your face.

 finde out more
 Scanning takes a few seconds. Follow the instructions on the screen. We'll

Scan face

Take your photo

This is for the record that proves your status in the UK.
Make sure you:
• are in a well-lit room
• look straight at the camera
Online application form

• If using the app, the ‘Identity’ and ‘Digital photo’ sections shown opposite will be marked as completed

• Questions within each section
### Check your application type answers

<table>
<thead>
<tr>
<th>Dual nationality</th>
<th>No</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous nationality</td>
<td>No</td>
<td>Change</td>
</tr>
<tr>
<td>Permanent residence card</td>
<td>No</td>
<td>Change</td>
</tr>
<tr>
<td>Indefinite Leave to Remain</td>
<td>No</td>
<td>Change</td>
</tr>
</tbody>
</table>

[Continue](#)  
[Save and return later](#)
Residence in the UK

N\textit{No} is not essential, if you have not been working
Criminal convictions

Check your answers

Criminal activity  No
Extremist activity No

Change

Continue  Save and return later
Automated outcome: tax record

- Automated check from your National Insurance number, if applicable, based on tax and benefits records.

You will be considered for settled status

What this means
The tax and benefit history we could match to you indicate you've been continuously resident in the UK for at least 5 years.

Submit application  Save and return later

I haven't been continuously resident for 5 years

You can challenge, if you think you should have settled status
Proof of residence documents

• You can use the Oxford ‘student enrolment certificate’ as evidence of current UK residency

• If you are applying for settled status and need to provide evidence of a longer residency period, other acceptable documents include:

  ➢ a letter confirming attendance for previous studies
  ➢ annual bank statement
  ➢ letter from employer, P60, P45
  ➢ council tax bill, utility bills etc

• See further examples at: https://www.gov.uk/guidance/eu-settlement-scheme-evidence-of-uk-residence
If you need to post your ID document

Use recorded delivery at Post Office for security and keep tracking number
Getting your decision

- Home Office do not want to refuse applications, they will email you for more information if they need it.

- You will not receive a physical document.

- You will be emailed a link to an online service that you can use to view and prove your status e.g. to an employer, landlord in the future. Home Office have confirmed employers or landlords should not be demanding proof before June 2021.

- Your non-EU/EEA/Swiss family members who apply will get a BRP – they will need to make an appointment and give biometrics for this.

- If you get a new passport or national ID, update your status profile online as your status is linked to this document.
Dear

I am pleased to inform you that your application under the EU Settlement Scheme has been successful and that you have been granted Indefinite Leave to Remain (ILR) in the United Kingdom, under Appendix EU to the Immigration Rules. This is also referred to as settled status. Your status takes effect from the date of this letter, which can be found above.

Your settled status in the UK can be confirmed online through the Home Office online checking service: 'View and Prove your Rights in the UK': view-and-prove-your-rights.homeoffice.gov.uk. You may use the online service to show your settled status in the UK. This letter is not proof of your status.

https://www.gov.uk/view-your-settled-status

View and prove your settled or pre-settled status

Use this service to:
- view your settled or pre-settled status
- get a share code to prove your status to others, for example employers
- update your personal details, for example your passport number or email address
- check what rights you have in the UK, for example the right to work or to access public funds

Having access to public funds means you can apply for benefits and use services like the NHS.
Getting your decision: example

[Image of a GOV.UK website page showing a status update for a user named [YOUR NAME] who has settled status.]

- **Your Name:**
  - You have settled status

- **Details:**
  - You can live, work, and study in the UK, and access public funds and services. There is no limit on how long you can stay in the UK.

- **Keep your details up to date:**
  - You need to keep your contact details and identity document up to date to access your online status.

- **Proving your status:**
  - If you want to prove your status online, you can follow this. This includes proving your right to work to an employer.

- **Find out more:**
  - Read more about settled status under the EU Settlement Scheme.
Can I lose the status once granted?

- You can spend up to two years in a row outside the UK without losing pre-settled status.

- **But** absences over 6 months could break your continuous residence and prevent you applying for settled status. (A single 12 month absence can be disregarded for 'important reasons')

- You can spend up to five years in a row outside the UK without losing settled status (4 years for Swiss citizens)
Family members (EEA and non-EEA)

• Must be in a relationship with an EEA citizen as spouse, civil partner or unmarried partner in ‘durable’ relationship. Relationship needs to predate 31 December 2020 (except children)

• Non-EEA nationals need a residence card or family permit to prove your relationship if unmarried.

• Spouse/partner will only be granted settled status if they have been continuously resident in the UK for at least 5 years. Otherwise, granted pre-settled status.
Family members: Children (under 21)

- Any children born in the UK to an EU/EEA/Swiss national who holds settled status will automatically be British at birth

- Any children born in the UK after you’ve got pre-settled status will be automatically eligible for pre-settled status

- Children can apply for settled status even if not lived in UK 5 years, if parent applies for/holds settled status
Reminders and next steps

• apply ASAP. You must apply by 30 June

• Think about document/s to use to confirm residency

• To apply for the EU Settlement Scheme: https://www.gov.uk/settled-status-eu-citizens-families/what-youll-need-to-apply

• Further Oxford information on Brexit: http://www.ox.ac.uk/students/oxford-and-the-eu

• 'Free Movement' Guide to applying How to apply for "settled status" for EU citizens | Free Movement and Six VFAQs Six very frequently asked questions about the EU Settlement Scheme | Free Movement

• the EU citizens's FAQ | the3million includes continuous residence calculator
Any questions?

student.immigration@admin.ox.ac.uk