

# SETTLED STATUS TOOLKIT

The UK's decision to leave the EU will bring an end to freedom of movement in its current form. This currently allows EU citizens to live, work and study in any EU member state including the UK. As part of the Brexit negotiations, the UK government and the EU have reached an agreement in principle on citizens' rights. These rights are set out in the EU and the UK's current draft Withdrawal Agreement which, if agreed in full, will allow EU citizens and their families who are lawfully living in the UK by 31 December 2020 to remain in the UK after that date.

**'CONTINUOUSLY'**  
Generally means being in the UK without a break of six months or more in any 12-month period. Except for:  
- one period of up to 12 months for an important reason such as childbirth serious illness, study, vocational training or an overseas work posting; or  
- compulsory military service of any length.

## WHAT IS "SETTLED STATUS" AND "PRE-SETTLED STATUS"?

- A new digital immigration status for EU citizens and their families living in the UK for by 31 December 2020.
- Having settled or pre-settled status means that EU citizens and their families will be able to live in the UK after 31st December 2020, have access to benefits, education and healthcare go on to apply for British citizenship if they want to.
- Settled status will replace EU permanent residence and those EU citizens and their families who already have a permanent residence document will be able to apply to exchange this for a settled status document before 30 June 2021 free of charge, subject to criminality and security checks.

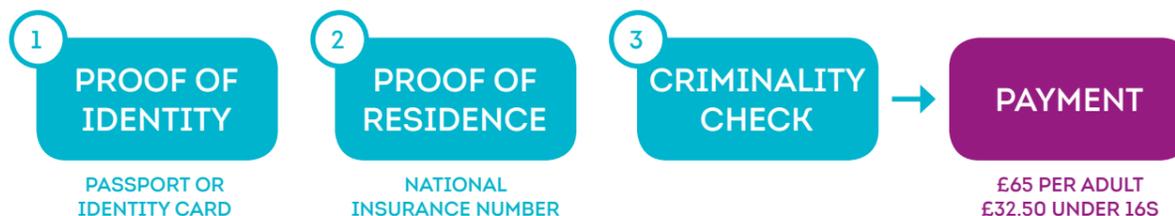
## WHO CAN APPLY?

- EU citizens and their families who started living in the UK by 31 December 2020 and have 5 years continuous residence by the application deadline of 30 June 2021 can apply for settled status.
- Those who arrive in the UK by 31 December 2020 but have not been in the UK for 5 years can apply for pre-settled status. Once those with pre-settled status have been living in the UK for 5 years, they can apply for settled status free of charge.
- Close family members of EU citizens in the UK by 31 December 2020 – spouses, civil and unmarried partners, children and grandchildren (who must be dependent if older than 21), and dependent parents and grandparents - will also be eligible to apply where the relationship with the EU citizen existed by 31 December 2020.
- Children of EU citizens applying for settled status can apply at the same time as their parents and will be eligible for settled status even if they have been in the UK for less than 5 years. Children who are born in the UK to parents with settled status will be born British. All individuals within a family must apply separately.
- Settled or pre-settled status may be refused to applicants with serious or persistent criminal conviction or for security reasons.

## THE APPLICATION PROCESS

Applications will be made online with support over the phone or in person available to those who need support applying online.

- The process will consist of:



- If an applicant does not have a National Insurance number and/or the Home Office does not hold enough HMRC or DWP data to confirm residence in the UK, further evidence will need to be provided such as P60s, utility bills or bank statements.
- Non-EU family members of EU citizens will need to provide evidence of their relationship, for example, a marriage or civil partnership certificate or birth certificates etc. and, in some cases, evidence of Non-EU the EU citizen.
- Individuals holding valid permanent residence documents can exchange their permanent residence document for settled status free of charge, subject to a criminality and security check.
- Applications for settled status or pre-settled status must be submitted by 30 June 2021.

## WHAT SHOULD RETAILERS BE DOING NOW?

There are no employers with all the answers but there are certain things that you can do to support your EU staff and prepare for Brexit:

- Continue to communicate with and support your EU workforce in the UK including providing:
  - Brexit briefing sessions (for HR and staff)
  - FAQ guidance (updated regularly)
  - A Brexit immigration helpline or online forum for quick queries
  - Support for EU citizens in the UK wanting to apply for a permanent residence document or citizenship before the settled status process becomes available
  - Similar support to non-EU citizens currently resident and working in the UK on the basis of their relationship with an EU citizen.
- Raise awareness of the settlement scheme amongst your workforce. There are tools available from the [Home Office here](#).
- Assess the scale, skill and salary level of your current EU workforce in the UK to understand the impact of future more restrictive rules from 2021 if that workforce leaves and cannot be replaced with UK nationals.
- Adapt your recruitment strategies to consider alternative workforces such as students, working families, pensioners and encouraging the return to work of the long-term unemployed;
- Consider longer-term recruitment drives and skills development for apprentices and school leavers.
- Anticipate increased costs both in terms of wages (as a result of greater competition for workers) and recruitment.
- Remember that none of the above legitimises discrimination on racial grounds in your recruitment processes.

## CONTACT DETAILS

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## SCENARIOS FOR RETAIL COLLEAGUES:

I have already lived in the UK continuously for at least 5 years



**YES**

apply for settled status



**NO**

apply for settled or pre-settled status before 30 June 2021

By June 2021 I will have been living in the UK continuously for at least 5 years



**YES**

if you have been here for 5 years before 30 June 2021, apply for settled status once you have been living continuously living in the UK for 5 years



**NO**

if you intend to remain in the UK beyond 30 June 2021, apply for pre-settled status before that date. You can then apply for settled status once you have 5 years residence.

I am an Irish citizen, do I need to apply? NO. If you have a non-EU close family member or dependant they will have to apply