



July 2021

Open letter about the rights of those who have applied to the EU Settlement Scheme.

To whom it may concern,

Settled is a charity which provides immigration advice to European citizens (EEA nationals) in the UK regarding the EU Settlement Scheme (hereafter called the EUSS). The deadline to apply to the scheme was the 30th June 2021.

This letter gives information on the rights of 2 groups of people:

- 1) EEA nationals and their family members who have made an EUSS application by 30th June but have not had a decision yet due to delays at the Home Office.
- 2) EEA nationals and their family members who have made an EUSS application and have been awarded either settled or pre-settled status but are having difficulties with the process required to show proof of status.

No-one who has made an application by the 30th June should be denied access to their rights solely because they do not have a decision yet from the Home Office or are finding it difficult to prove their status digitally.

The Home Office has confirmed that everyone who applied in time to the EUSS will be protected until they receive an outcome on their EUSS application. In such cases, a Certificate of Application (COA) emailed to the applicant can be taken as evidence that someone has an application pending that has been received by the Home Office.

Similarly, EEA nationals and their family members who have been granted settled or pre-settled status have the right to work, study, rent accommodation and access NHS services. They also have the right to claim benefits although, at the current time, those with pre-settled status may be required to show additional evidence of their entitlement.

Settled status and pre-settled status can only be viewed online – **there is no physical document such as a stamp in a passport or card.** Proving pre-settled and settled status is an online process with multiple security stages. It is likely that some people will find it difficult to use the technology successfully to prove their status. In such cases employers, landlords and authorities should avoid discriminating against EEA nationals.

Further information is available from the government's 'Brexit' website <https://www.gov.uk/brexit> with new information appearing there regularly. For example guidance was issued recently for employers: <https://www.gov.uk/government/publications/eu-settlement-scheme-introduction-for-employers/eu-settlement-scheme-introduction-for-employers>.

You can get personal advice online or by phone by contacting the Home Office EUSS resolution centre - details here: <https://www.gov.uk/settled-status-eu-citizens-families/applying-for-settled-status> and here <https://www.gov.uk/contact-ukvi-inside-outside-uk/y/inside-the-uk/eu-settlement-scheme-settled-and-pre-settled-status-or-service-provider-from-switzerland-visa-applications>

The Home Office is funding Citizens Advice and other organisations to provide support, for example: <https://www.citizensadvice.org.uk/immigration/viewing-your-pre-settled-or-settled-status/>

Finally, our charity Settled runs online and telephone help services, for more information visit: www.settled.org.uk

Thank you for giving this your consideration.

Kind Regards,

The Settled Team