EU Settlement Scheme FAQs

Updated 8 March 2019

How do I apply?

For information on how to apply please refer to University’s webpage on the Settlement Scheme here.

Who can apply?

All EU citizens with a valid passport (so this now includes students and family members of staff, who were not included during the pilot phase last year). Non-EU family members can also apply if they have biometric residence card with ‘EU Right to Reside’ printed on the back. For information about EEA/Swiss citizens, please see the FAQ below.

Can EEA/Swiss citizens apply?

Yes, the Government has now reached an agreement with the governments of Norway, Iceland, Lichtenstein (the EEA countries) and Switzerland that from 30 March 2019 their citizens will be able to apply for settled/pre-settled status to allow them to stay in UK beyond the end of the implementation period, just as EU citizens are able to do now.

Starting April 9, 2019, EEA/Swiss citizens and certain family members will be able to apply for the Scheme from overseas, based on their previous residence in the United Kingdom.

Starting March 30, 2019, third-country national family members of EEA/Swiss citizens will be able to apply from overseas for entry clearance to the United Kingdom to join or accompany an EEA/Swiss national who has been granted status under the Scheme.

Do Irish citizens need to apply for settled status?

The rights of Irish citizens residing in the UK are protected after the UK leaves the EU under the UK-Ireland Common Travel Area arrangements.

This means that Irish citizens do not need to apply under the scheme. Nonetheless, Irish citizens can make an application under the scheme, should they wish to do so.

If their family members are EU citizens they will need to make an application for status under the EU Settlement Scheme.

Should I apply now?

It is your choice whether you apply now during the test phase, or wait until 29 March 2019 when the settlement scheme officially launches.

Why apply now:

- Quicker decision (Home Office has more capacity now than they will after 29 March)
- Certainty
- Gives people time to sort things out if things change or go wrong

Why wait:
If you haven’t been here for five years you will only get pre-settled status (although upgrade to settled status once here for 5 years should be straightforward)

Wait and see what happens (another referendum, Brexit cancelled?)

**What happens to the EU settled status scheme in the event of a ‘No-deal Brexit’?**

The Government has committed to implementing the EU settled status scheme regardless of whether the UK leave the EU with an agreement. If the UK leave the EU with a deal, EU citizens who are resident in the UK by 31 December 2020 will be able to apply for settled or pre-settled status and will have until 30 June 2021 to do so.

In the event of the UK leaving the EU without an agreement, the Government has clarified that only EU citizens who were resident in the UK as at 11pm on 29 March 2019 will be eligible to apply for settled status or pre-settled status and must do so by 31 December 2020.

Any EU citizens who arrive in the UK after that date will be granted a visa for three months. If they want to stay in the UK for longer than three months they will need to apply for a visa which will allow them to work or study in the UK for up to 3 years, after which they will need to apply under new immigration rules currently being developed.

*I've heard the Government is scrapping the £65 application fee when the scheme fully opens on 29 March. What happens at the moment?*

On 21 January the Prime Minister announced that there will be no fee when the scheme fully opens on 29 March. Anyone who has applied already, or who applies and pays a fee during the test phases, will have their fee refunded. Details of the refunds process will be published on Gov.UK shortly. If you want to apply now, the fee (which will be refunded) is £65.

Once Government has published information about the refund process, we will share this information with staff and advise what the implications are for any staff who have already been reimbursed this fee by the University.

Staff continue to have the option to seek reimbursement from the University, but should be aware that the University will need to reclaim this money once the Government starts refunding applicants.

To claim reimbursement, please complete the form here:

[Settled Status Reimbursement Claim Form](#)

**Is there a deadline for submitting an application?**

If the UK leave the EU with a deal, you’ll have until midnight on 30 June 2021 to submit an application for settled or pre-settled status. If the event of no deal, you’ll have until midnight on 30 December 2020 to submit an application.

**How long do I need to live in the UK for to be eligible for settled status?**

If you live in the UK for five years or more continuously* you should be eligible for settled status. If you have lived in the UK for less than five years you should be eligible for pre-settled status which you can then apply to have changed to settled status once you’ve hit the 5 year mark).
Please refer to the link below for more information:

* Continuous residence means that for 5 years in a row you’ve been in the UK for at least 6 months in any 12 month period, except for:

- one period of up to 12 months for an important reason (for example, childbirth, serious illness, study, vocational training or an overseas work posting)
- compulsory military service of any length

If you have had an absence that has broken your continuous residence you can still apply for pre-settled status and after reaching 5 years of unbroken continuous residence you can then apply for settled status.

If you have been resident here for 5 years continuously in the past you could rely on that historic period of residence in a settled status application, provided you have not been absent for a continuous period of 2 years since then.

**If an individual has been resident for less than 5 years and is granted pre-settled status would this automatically change to settled status once they have 5 years’ continuous residence?**

No, their status will not change automatically. They will need to apply for settled status once they become eligible to do so.

**Can my family members apply at the moment?**

Yes they can as long as they have a valid passport, or in the case of non-EU members, a biometric residence card with ‘EU Right to Reside’ printed on the back.

A family member is defined as:

- Spouse
- Civil partner
- Durable partner (unmarried partnership akin to marriage or civil partnership)
- Child, grandchild or great-grandchild (including of the spouse or civil partner)
- Dependent parent, grandparent or great-grandparent (including of the spouse or civil partner)
- Dependent relative (including of the spouse or civil partner where the applicant holds a relevant document in the UK as the result of an application made before 1 February 2017)

**How do I download the EU Exit: ID Document Check app?**

You can download the app on any Android device by going to the Google Playstore and searching ‘EU Exit: ID Document Check’. Note the device you are using needs to be equipped with NFC (near field communication) for the app to work.

**I don’t have an android device – can I still apply?**

All applicants must use the EU Exit: ID Document Check app to verify their identity. This App is only available on Android Devices (such as an Android smartphone). The device also needs to be equipped with NFC (near field communication) – you can check this in the devices settings. You can use a friend or colleague’s device to complete this initial step of the application - the rest of the application can then be completed on that device or any smartphone, laptop or computer.

We know that many of our EU staff do not have a suitable Android device to use the EU Exit: ID Document Check app, so we have arranged for compatible phones to be available for staff to use. If you need to use this
facility, please contact the Human Resources Reception (ext 22421) 0900-1630 Monday to Friday to arrange an appointment. They are located in Building 26, Highfield Campus.

You can make an appointment at the Southampton Register Office to have your ID document scanned and verified for you if you cannot use the EU Exit: ID Document Check app:

http://www.southampton.gov.uk/

If you cannot access the app or get into the Register Office at the moment, there will be alternative ways to verify your identity once the scheme fully opens on 29 March.

_I don’t have a bio-metric passport (i.e. an e-Passport with a digital chip) – can I still apply?_

You will need a bio-metric passport with chip to be able to apply during the current testing phase.

The Government has advised that there will be alternative ways to apply for settled status once the scheme fully opens on 29 March 2019.

_Can I do the application while overseas?_

We’ve been advised that the app will only work while the phone is located in the UK. We also understand that it has to be a UK registered phone.

_If the screen says you don’t have 5 years records but you think you do, can scanned documents be uploaded?_

If the Home Office cannot confirm the entitlement to the status that you claim via HMRC or DWP records you will need to provide additional evidence of your residence. Photos or scans of documents can be uploaded as evidence of your UK residence.

See here for information on the types of evidence that may be acceptable.

_I already have (or applied for) a permanent residence document - do I need to apply for settled status?_

Permanent residence documents will not be a valid proof of residence after June 2021 so you will still need to apply for a settled status even if you have previously applied for the permanent residence permit. You will not have to prove you have been resident in the UK for 5 years or more if you have a permanent residence document. You will also not have to pay any admin fee for settled status.

For more information, please click here:

https://www.gov.uk/uk-residence-eu-citizens/permanent-residence

_If you intend to apply for citizenship in the very near future it may be quicker/more advantageous for you to apply for a permanent residence document and not settled status._

_Should I apply for UK citizenship or settled status?_

That’s ultimately a personal decision for you. Settled status effectively guarantees/maintains your current treaty rights and will mean you can continue to live and work in the UK indefinitely, but citizenship will provide a greater level of security and certainty, which many people will be seeking in the current climate.

For many people citizenship will not be an option though, either for financial, ideological or legal/political reasons (e.g. some countries don’t recognise dual citizenship).
Why has the Government launched the settlement scheme when EU staff could already apply for a permanent residence document?

The permanent residence card existed before the Brexit vote. It is intended to confirm residential status for family members of EEA and Swiss nationals, and to prove residential status for those wishing to apply for British citizenship.

EU citizens did not (and still do not) need a permanent residence card to exercise their rights as an EU citizen, but many EU nationals applied for one to provide some reassurance (and the University provided reimbursement for applications costs knowing that many of its EU employees would wish to seek such reassurance) prior to a specific provision being put in place by government for EU citizens in light of Brexit - the EU settlement scheme is that specific provision.

*EU staff should be aware that they will still need to apply for settled status or pre-settled status, even if they already have a permanent residence document or registration certificate.*

I have applied for citizenship/naturalisation - does that mean I don’t need to go through the settlement scheme process too?

Anyone awarded British citizenship will not be required to apply for settled status.

I already have indefinite leave to remain. Do I need to apply for settled status?

No, your indefinite leave to remain will continue to be valid after the end of the transition period and there is no need for you to apply for settled status. However if you do apply for settled status it means you will be able to live outside the UK for periods of up to 5 years without your settled status lapsing (indefinite leave to remain lapses after an absence of 2 years or more).

I work for the University but am not a UK resident (i.e. I live in another country) - can I apply for settled status?

To be eligible to apply to the EU Settlement Scheme you must be resident in the UK. Frontier workers who reside in the UK (for example, they live in the UK during the week and return to the EU at weekends) are eligible, but frontier workers who do not reside in the UK (for example, they commute in and out of the UK on a daily basis just for work or come to the UK only occasionally for work) may not be eligible.

I work for the University but am not a UK resident (i.e. I live in another country) - can I stay employed by the University after 30 June 2021?

Currently such arrangements can continue but we have no information about how this may change after the UK formally leaves the EU. We would therefore advise you to contact the Home Office. As we get further information over the coming months, we will be able to ascertain the appropriate action and will communicate this to affected staff. If you do have similar working arrangements in place and are unsure what the status of these will be post Brexit we advise you to raise these with your line manager so they can be flagged to your Head of School.

I have a permanent contract with the University - what's the University doing to ensure that I can continue to be employed by the University?

We want to retain all international staff as we highly value the contribution they make to the University, hence why we are promoting the Home Office settlement scheme to our EU staff, have made android devices available to staff and are offering to continue the reimbursement of the £65 application fee.

What happens if I don’t apply for settled status?
It is still unclear what will happen to any EU citizens who have not applied for settled status by the scheme deadline (31 December 2020), but it is likely that the University won’t be able to continue legally employing any staff who have not applied for settled status after this deadline.

**How much does it cost to have the Southampton Register Office scan and verify my ID document?**

We’ve been advised that the cost is £14. The University will reimburse the £65 application fee but not the £14 admin fee charged by the Register Office service.

The service provided by Southampton Register Office is only one of your options. We have also arranged for compatible phones to be available for staff to use for free. If you need to use this facility, please contact the Human Resources Reception (ext 22421) 0900-1630 Monday to Friday to arrange an appointment. They are located in **Building 26**, Highfield Campus.

**I've already obtained permanent residence document but didn’t claim reimbursement - can I still be reimbursed the £65 admin fee?**

Yes you can – please complete the reimbursement form which can be downloaded here:  
[https://www.southampton.ac.uk/hr/services/settled-status/settled-status.page](https://www.southampton.ac.uk/hr/services/settled-status/settled-status.page)

*EU staff should be aware that they will still need to apply for settled status or pre-settled status, even if they already have a permanent residence document or registration certificate.*

**How will my settled status be confirmed?**

Applicants will receive confirmation of their status via email. Applicants will be granted a digital status which will be stored electronically by the Home Office. Once applicants receive their status, details will be provided on how to access it on Gov.UK. This will enable them to prove their rights to others online, including employers and landlords. Further information will be included in a letter attached to the confirmation email.

**I've had confirmation of my settled status – do I need to advise the University?**

No, not at this stage. The University have been advised that it shouldn’t be asking staff to provide evidence of their settled status, as EU staff still have a right to work in the UK. Staff should be aware though that the University may need to ask them for this evidence once the transition period is over.

**Is there a way an individual’s settled status could lapse?**

Yes. Subject to approval by Parliament, it will lapse if an individual is absent from the UK for five consecutive years. Pre-settled status will lapse after an absence of two consecutive years (similar to restrictions on indefinite leave to remain).

**What if I don’t apply for settled status and I’m out of the UK on 29 March 2019 – will I be able to re-enter?**

Based on the current Government proposal EU citizens who come in to the UK before midnight on 31 December 2020 will be able to apply for settled or pre-settled status under the EU settlement scheme.

If there is no deal then EEA nationals will be treated as third country nationals after 29 March 2019. However, because it will take months/years for the government to grant pre-/settled status to all the EEA nationals who are resident here before that date, they recognise that it will be impossible to distinguish between EEA nationals already resident here and those who arrive for the first time after Brexit.

Therefore, there will - in effect - be a de facto transitional period until the deadline for submitting settled status applications (which will be 31 December 2020 in the event of no deal) meaning that employers,
border officers and landlords will be able to treat pre- and post-Brexit EEA nationals the same and simply need to see their passport or national ID card. The difference will be after 31 December 2020 when those EEA nationals whose residence in the UK commenced after Brexit will need to be granted immigration permission in another category in order to remain or return to the UK, whereas those who were here before Brexit should - by then - have been granted pre- or settled status which can be verified by employers etc. and will allow them to remain here.

Where can I get further support?

Ask HR can answer questions staff might have. To contact Ask HR

- Raise a ticket through ServiceNow
- Call on ext 27547 (dial A-S-K-H-R)
- Email AskHR@soton.ac.uk

In addition, the University’s EU/EEA staff support network provides supports to EU staff. To contact the network please email: bruno.linclau@soton.ac.uk

Staff can also contact the EU Settlement Scheme Resolution Centre on 0300 123 7379.