Does your organisation currently raise awareness of the EU Settlement scheme and encourage and support EU staff to apply?
Which of the following best described the settlement scheme support you have provided to your EU staff?

- Pay slip/intranet
- Posters
- Drop in sessions
- Legal advice
- Collaboration with unions
- Network/organised meetings...
- Other (please specify)
Have you or your staff experienced any difficulties with the scheme?
Is there anything you feel you need more support with as an employer supporting staff with the scheme?
EU Settlement Scheme - the context

- EU referendum in June 2016 – UK voted for “Brexit”
- Article 50 triggered March 2017
- 2 year notice period
- Exit date now 31 January
- Deal or no deal?
Impact of Brexit on EU nationals in UK

- Free movement will end on 31 Dec 2020
- If no deal, must be living in UK by exit date
- EU/EEA/Swiss nationals will need to obtain settled or pre settled status to live/work in the UK
- Family members, including children
- Unless naturalised as a British citizen or have indefinite leave to enter/remain
EU Settlement Scheme: Timescales

- Scheme opened fully on 30 March 2019
- 2.75 million applications (as at 31 December)
- 2.45 million concluded applications
- Deadline for applications is 30 June 2021
- Or 31 December 2020 if no deal
Application process

Three steps

- Prove ID (passport or national identity card, photograph)
- Prove live in UK (may be done automatically via employment and benefit records)
- Declare no serious criminal convictions

- Scan document and upload photo to EU Exit: ID Document Check App
- Or send document by post and upload photo online
- No fee
Who can apply?

- Five years’ continuous residence in the UK
- Started living in UK by 31 Dec 2020 (31 Jan 2020 if no deal)
- Generally no more than 6 months absence in any 12 month period
- No serious criminal convictions
- If already have permanent residence document, exchange for settled status
What if don’t meet criteria?

- If less than five years in the UK, will be granted pre-settled status for five years

- Must apply for settled status before pre-settled status expires

- If will acquire five years before 30 June 2021 (31 December 2020 if no deal), no need to obtain pre-settled status now

- Unsuccessful applications
  - Administrative review
  - Multiple applications
Family members

- Non EU close family members in UK by 31 Dec 2020 can apply

- Link family members’ applications

- Close family members can join EU family member at any time (before 29 March 2022 if no deal)
  - Spouse or civil partner
  - Durable partner
  - Dependent children and grandchildren
  - Dependent parents/grandparents
Effect of settled status

- Can leave UK for up to five years without losing settled status
  - Two years with pre-settled status
- Children will be British citizens
- Rights:
  - Work in the UK
  - Use the NHS
  - Enrol in education or continue studying
  - Access public funds such as benefits and pensions, if eligible
  - Bring family members to UK
Evidencing settled status

- Confirmation email
  - Not proof of status
- View status online
- Share code to prove status to others e.g. employers
- Right to work checks
- ESR
European Temporary Leave to Remain (Euro TLR)

- Can apply if arrive in UK from Brexit date until 31 Dec 2020
- Valid for 36 months
- No cost
- Family members can accompany
- New points-based system from January 2021
Supporting your EU staff (1)

- Reassurance

- Information
  - Posters, presentations, drop in sessions, intranet, payslip

- Dedicated HR support

- Assistance with applications
  - Use of device?
Supporting your EU staff (2)

- Review/communicate bullying & harassment/equality and diversity policies
- Encourage naturalisation applications?
- NHS Employers resources
Further resources

- EU Settlement Scheme Resolution Centre
  0300 123 7379

- Government website
  https://www.gov.uk/settled-status-eu-citizens-families

- Immigration Law Practitioners Association
  https://www.ilpa.org.uk/
Any questions?
STAY IN TOUCH

Workforcesupply@nhsemployers.org

@NHSE_WFS