



Applying for Settled Status

Advice for the elderly and people with severe health conditions, and their carers

Following the UK's exit from the European Union, the deadline for European citizens living in the UK to apply for 'Settled Status' is 30 June 2021.

The charity Settled is concerned about the impact on older Europeans. Firstly, they may not realise that they need to apply because they may have been living in the UK for a long time and believe they have an automatic right to stay. It is important that they receive correct information. Secondly, they may need advice and support with the online application system.

Some will be able to get help by phone or online from the Home Office, from Settled or from another advice organisation. But some will not manage unless they involve a carer. Those caring for them are understandably preoccupied by the current health emergency and may overlook the need to address immigration status changes. Unless they are helped to make a successful application for 'Settled Status', they could lose their homes and their access to healthcare. This leaflet provides advice for elderly people and carers of elderly people and carers of those with severe mental or physical health conditions who may need to make an application on their behalf.

It is advisable to apply as soon as possible – don't leave it too close to the deadline to begin the process.

Citizens of the following countries are affected:

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland*, Italy, Latvia, Lichtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and Switzerland.

Gaining settled status will protect your rights to:

- Live in the UK lawfully from 1 July 2021
- Rent a home and obtain banking products
- Work and study within the UK

* You do not need to apply if you have Irish citizenship.

You need to apply if you're a family member of an EU, EEA or Swiss citizen even if your family member does not need to apply.

You cannot apply if you have British citizenship.



Settled is a charity set up in July 2019 to provide advice for European citizens living in the UK following the exit from the European Union. Our multi-lingual team, which includes 100 volunteer advisers, is working intensely to ensure Europeans are able to secure 'Settled Status' before the looming deadline.

We run multi-lingual telephone helplines, distribute leaflets, host online information sessions and answer questions via social media. We provide free expert immigration advice and assistance to help Europeans to complete their own applications or for others to make applications on their behalf. Face-to-face advice has been paused due to Covid-19, but we can provide advice to nursing homes and residences via secure digital media provision such as 'Microsoft teams'.

www.settled.org.uk



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Should I apply for 'Settled Status' or 'Pre-settled Status'?

Depending on your length of your residence in the UK you can apply for:

- 'Settled Status' if resident for 5 years or more
- 'Pre-settled Status' if resident for less than 5 years

In exceptional circumstances, some people have alternatively applied for indefinite leave to remain via the Windrush Scheme if they were resident in the UK before 31 December 1988. Please request advice from us or other appointed charities if you are considering the Windrush scheme because the rights and entitlements differ from 'Settled Status'.

How do I make an application on someone else's behalf?

Friends, relatives, volunteers or health professionals can complete an application on behalf of someone as long as they have their consent. Please fill in the consent form on the last page of this leaflet (also available to download from www.settled.org.uk).

The person you are helping must understand the need for 'Settled Status' (legally known as having mental capacity under the 2005 Mental Capacity Act).

If someone has an illness such as dementia, or is in a place of care where a deprivation of liberty applies and they 'do not have capacity to consent', they do not understand the meaning of applying for settled status; then it is important to arrange the application via their next of kin, power of attorney or social worker. Please see our website for further details regarding definitions of capacity, diagnoses which may apply, and what consent is required to proceed with an application.

If you are filling in a form for an applicant because they cannot complete it themselves, this does not constitute immigration advice. You only need regulation, from the Office of the Immigration Services Commissioner (OISC), if you are providing one-to-one advice, for example helping an applicant understand the paperwork, advising on what paperwork to include, exploring their individual circumstances or explaining outcomes.

Actions towards helping someone applying for settled status

- Collect together official documents including passport, power of attorney, hospital and GP letters and printouts, a current prescription, letters with any previous home address, bank account details, benefits and pension statements.

People receiving the New State Pension or Basic State Pension and who are currently resident in the UK should not have to provide additional documentation to apply.

- **Where clients have capacity and understanding** – discuss with them which family member or friend they would allow to help them apply for 'Settled Status'. A care manager could also apply using their email for contact.
- **Where clients do not have mental capacity** – discuss with a current social worker, power of attorney or registered next of kin who should help them apply.

Useful contacts for advice

- Contact **Settled** via our website for guidance and advice: www.settled.org.uk
- **Citizens Advice**: www.citizensadvice.org.uk or 0344 411 1444
- **Age UK Advice line**: 0800 055 6112 (8am to 7pm) | www.ageuk.org.uk
- **Home Office Settlement Resolution Centre**: 0300 123 7379 (in the UK)
Outside the UK: + 44 (0) 20 3080 0010 | eu-settled-status-enquiries.service.gov.uk

Consent Form

To apply for 'Settled Status'
on someone's behalf



Also available to download from www.settled.org.uk

I am an EU citizen or non-UK relative of an EU citizen living in the UK; from a country including *Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lichtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and Switzerland.*

I have understood the need for me to apply for Settled Status and I agree that the following person or persons can help me apply to the UK government for a new immigration status for me to stay in the UK after leaving the European Union.

OR

I am a person who supports someone as described above who doesn't have mental capacity to understand that they need to apply for 'Settled Status'. I represent them as their power of attorney / social worker / residence manager / listed next of kin / solicitor (please indicate which applies) and I have the authority to represent their views.

My name and role is:

Details of person applying for 'Settled Status'

Full name
Email
Address
Telephone
Relationship to representative
Signature* Date / /

* This **must** be included to provide evidence to the Home Office that they have handed over authority to a third party (unless unable to sign and a legal representative signs below).

Details of representative

Full name
Date of birth
Address
Telephone
Lived in the UK since
Passport details
National Insurance number
Benefits received
Next of kin
Signature Date / /

This form and supporting information should be photocopied and kept with the client's records as well as sent with the application or with information sent on a person's behalf to relevant volunteers/ professionals or solicitors.