



EU Settlement Scheme: Important information for late applicants

Background

- In line with the Citizens' Rights Agreements, the EU Settlement Scheme (EUSS) was established to enable EU, EEA and Swiss citizens,¹ resident in the UK by the end of the transition period on 31 December 2020, and their family members, to get the immigration status they need to continue to live, work, study and access benefits and services, such as healthcare, in the UK after 30 June 2021. Find out more at: www.gov.uk/eusettlementscheme
- For those citizens resident in the UK by 31 December 2020, the deadline for applications to be made to the EUSS was 30 June 2021, which was also the end of the grace period during which their existing EU law rights were protected pending the outcome of an application to the EUSS made by the deadline.

Why you need to apply urgently

- From 1 July 2021, EU, EEA and Swiss citizens and their family members are required to evidence their right to be in the UK by having obtained a valid UK immigration status. You can obtain this status through the EUSS if you were resident in the UK by 31 December 2020, or are a joining family member of an EU, EEA, or Swiss citizen who was resident here by then. Alternatively, you can obtain a valid visa under the points-based immigration system.
- You do not need to apply if you have indefinite leave to remain or enter, or are an Irish citizen, but you can if you want to.
- If you are an EU, EEA or Swiss citizen and their family members who was resident in the UK by 31 December 2020, but did not make an application to the EUSS by the deadline of 30 June 2021, your rights in UK law are not protected. This includes your rights to live, work, study and access benefits and services in the UK.
- Failure to apply to the EUSS may negatively impact your eligibility to work, study, and access benefits and services in the UK, and to rent a property in England.

¹ The European Economic Area includes citizens from Norway, Iceland and Liechtenstein. For a full list of countries, visit [gov.uk/eu-eea](https://www.gov.uk/eu-eea)



Home Office

- You can make a late application to the EUSS. But, if you do not have status or a pending application and you are encountered by Immigration Enforcement, and you may be eligible for the EUSS, you will be provided with a written notice giving you an opportunity to apply to the EUSS, normally within 28 days, and directed to the support available to you if you need it.
- The Home Office will take a flexible and pragmatic approach to accepting late applications and will look for reasons to grant applications, not to refuse them.

Healthcare

- Healthcare is a devolved matter and advice can be sought from devolved health administrations.²
- The Department of Health and Social Care has made clear that, in England, those who are awaiting the outcome of an EUSS application submitted by 30 June 2021 will remain entitled to free healthcare, subject to the ordinary resident test, until that outcome is known. Where a late application to the EUSS has been made (evidenced by a Certificate of Application), the individual will be non-chargeable for NHS healthcare from the date of that application until its final outcome. Those who are subsequently granted EUSS status will remain non-chargeable for NHS healthcare.
- Primary healthcare services, including GP consultations, are free of charge to all, as are Accident and Emergency care and testing and treatment for certain infectious diseases.
- Urgent and immediately necessary treatment is never withheld, even where charges may apply.
- If, at the time of treatment, an EU, EEA or Swiss citizen or their family member cannot evidence their status or present a Certificate of Application showing they have applied to the EUSS, they can provide it to the Trust once they receive it. This is why it is important to make a late application to the EUSS if you failed to apply by the deadline.

² The information in this document applies to healthcare services in England. For more information about accessing healthcare in Scotland, Wales and Northern Ireland, visit the websites for health services in each country:

- [Wales](#)
- [Scotland](#)
- [Northern Ireland](#)



Home Office

- Upon making a late application to the EUSS (evidenced by a Certificate of Application), you will be non-chargeable for NHS healthcare from the date of that application until its final outcome. If you are subsequently granted EUSS status, you will remain non-chargeable for NHS healthcare.
- EU, EEA or Swiss citizens or their family members without a valid immigration status, or refused EUSS status, may be charged for NHS healthcare, unless another exemption from charging applies.
- More information can be found here: [gov.uk/guidance/nhs-entitlements-migrant-health-guide](https://www.gov.uk/guidance/nhs-entitlements-migrant-health-guide)

Reasonable grounds for late applications

- The EU Settlement Scheme has made provision for late applications to be made by EU, EEA and Swiss citizens and their family who can show they have reasonable grounds for missing the deadline.
- [Non-exhaustive caseworker guidance](#) has been published setting out a wide range of circumstances which would constitute reasonable grounds, including, but not limited to, the following:
 - where a parent, guardian or Local Authority has failed to apply on behalf of a child;
 - where a person has or had a serious medical condition, which meant they were unable to apply by the relevant deadline;
 - where someone is a victim of modern slavery or is in an abusive relationship;
 - where someone is isolated, vulnerable or did not have the digital skills to access the application process;
 - where a person was unable to apply by the relevant deadline for compelling practical or compassionate reasons – including in light of the COVID-19 pandemic.
- The case worker guidance can be accessed at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/988540/main-euss-guidance-v12.0-gov-uk.pdf
- Eligible applicants should make a late application to the EUSS as soon as possible at [gov.uk/eusettlementscheme](https://www.gov.uk/eusettlementscheme)

How to make a late application

- Check your eligibility to apply at www.gov.uk/eusettlementscheme
- You can complete a free online application from a computer, tablet, or mobile smartphone.



- Application guidance can be found on GOV.UK. Once you have read the guidance, [start your application](#).
- You do not need to apply to the EUSS:
 - if you're a naturalised British citizen
 - if you have indefinite leave to enter or remain
 - you're an Irish citizen but any non-Irish, non-British family members will need to apply to the EUSS if they want to stay in the UK.

Remember:

- You still need to apply to the EUSS even if you have lived in the UK for many years, are married to a British citizen, or hold a permanent residence document.
- Your children will need their own individual applications if they are not British citizens or do not have indefinite leave to enter or remain. Find out more information at [gov.uk/ settled-status-eu-citizens-families/apply-settled-status-for-child](https://gov.uk/settled-status-eu-citizens-families/apply-settled-status-for-child)
- If you are expecting to have a child (or have given birth since 1 April 2021) then you will need to make an application on the behalf of your child within 3 months of their date of birth. However, you don't need to apply on their behalf, if either parent has settled status under the EUSS (or another form of indefinite leave to enter or remain) before the child is born, as the child will be a British citizen.

Support available for late EUSS applicants

- There remains a range of support available, from over the phone advice to one-to-one support, and help with translations and technology.

EU Settlement Resolution Centre

- For questions about your application, you can call 0300 123 7379 from inside the UK or +44 (0) 20 3080 0010 from outside the UK (Monday to Friday, 8am to 8pm and Saturday to Sunday, 9.30am to 4.30pm).

Assisted Digital

- This service can help you if do not have the right access, skills or confidence to complete the online application form and it is available over the phone and in person, free of charge. Contact We-Are-Digital by calling 03333 445 675 (Mon–Fri, 9am–5pm) or text the word “VISA” to 07537 416944. For more information, visit gov.uk/eu-assisted-digital



ID document scanning service

- This service is available to complete the identity verification step if you do not have access to the EU Exit: ID Document Check app. There may be an administrative fee to use this service. To check availability of this service and for more information, visit gov.uk/eu-id-scanner-location

Community support

- If you need more support help with your application, you can contact a nearby community support organisation. There is also a postcode checker showing local support available at gov.uk/help-eu-settlement-scheme