



Department  
for Work &  
Pensions

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Date: 2 July 2021

By email

Revenues and Benefit managers

Dear colleagues

## **EU Settlement Scheme update on future access to benefits following the End of the Grace Period**

Further to my recent letter dated 18 June 2021 to all Revenues and Benefits managers, this letter provides an update on the European Settlement Scheme (EUSS). It also includes a set of questions and answers (see Annex A)

The Home Office [European Union Settlement Scheme \(EUSS\)](#) Grace Period ended on 30 June 2021. This scheme does not apply to Irish nationals who are treated the same as UK citizens.

In order to continue to have the right to live and work in the UK, including access to benefits and services, European Economic Area (EEA) and Swiss nationals need to apply for/have been granted Settled Status (Indefinite Leave to Remain) or Pre-Settled Status (Leave to Remain).

EEA and Swiss nationals who have not applied for/been granted Settled or Pre-Settled Status will be deemed not to qualify for benefits and they will become Persons Without Immigration Status after 30 June 2021 (end of the Grace Period).

Late applications for the [EUSS](#) after 30 June 2021 will be considered by the Home Office where there is a good cause for late application.

HM Treasury can support existing Department for Work and Pensions (DWP) claimants who have not applied to the EUSS by the end of the Grace Period for a short period. This is called extra statutory payment.

The extra statutory payment allows benefit payment to continue for existing claimants for a short period of time, after the end of the Grace Period, whilst DWP does some final signposting.

## **New Claims to Housing Benefit made from EEA/Swiss Nationals from 1 July 2021**

EEA/Swiss nationals must have an Immigration Status or have applied for EUSS to make a Housing Benefit (HB) claim where the date of claim is 1 July 2021 or later.

Existing Habitual Residency Tests rules will apply where appropriate.

### **Existing claimants - Data matching exercise**

In March 2021, the Home Office ran a scan of current HB claimants against Home Office data to identify any EEA and Swiss nationals who do not have an EUSS status.

Letters were then issued through automatic mailing between 14 May 2021 to 28 May 2021 to those claimants informing them of the need to apply for a status before the end of the Grace Period.

On 1 July 2021, a further data match exercise was conducted by the Home Office. The Home Office will now write to all EEA and Swiss nationals who have still not applied for their EUSS status and prompt the customer to urgently contact the Home Office and apply or risk their benefit payments being stopped.

The data matching letters are due to be issued mid-July 2021 by automatic mailing to all DWP and HB claimants who have not applied to EUSS.

### **DWP additional signposting**

DWP will issue a final letter to all DWP and HB claimants in September 2021 to ensure that they understand the requirement to make a late application for EUSS.

The claimant will also be advised that their benefit will be disallowed where no EUSS application is made.

If there is still no application made within one month, then benefits will be suspended after any 'business as usual' processes looking at potential vulnerability are considered.

Following suspension, the claimant will have a further month to make an application for EUSS.

If a claimant subsequently applies for EUSS within this month then extra statutory payments can continue until a final immigration decision is made.

If the claimant does not apply for EUSS within this month then extra statutory payments will cease and their claim will be terminated as they will be treated as a Person Subject to Immigration Control.

If a claimant appeals against an EUSS decision they can continue to receive extra statutory payments until the outcome of the appeal is known.

We are currently working to allow LA access to the “Get Home Office Data” feature in Searchlight, we will provide a further update on the progress of this work as soon as we have it.

### **Additional customer support**

The Home Office have put in place supportive options for applicants to the EUSS as below:

#### **Helpline**

- EUSS helpline where customers can apply and have questions answered:  
**Tel: 0300 123 7379.** (Open: Monday to Friday, excluding bank holidays, 8am to 8pm. Saturday and Sunday, 9:30am to 4:30pm) [Find out about call charges.](#)

#### **Digital Access Centres**

The Home Office is partnering with digital centres to support digitally excluded people. [Get help with your online Home Office application](#)

- ‘We Are Digital’ - [visa@we-are-digital.co.uk](mailto:visa@we-are-digital.co.uk) Telephone: 03333 445 675, Monday to Friday, 9am to 6pm. [Find out about call charges](#)

#### **Community partners**

- There is a contracted support service to provide 121 support in applying. The service is run by local authorities, charities and community groups around the UK. A post code checker helps applicants find their nearest centre. [Get help applying to the EUSS](#)

#### **EU language translations**

- [EUSS translated information materials](#) support EU, EEA and Swiss nationals to apply to the EUSS. They are provided in 26 EU languages, including Welsh and Irish.

If you have any queries please email 

Yours faithfully



**Clare Elliott**  
Head of LA-PED

## **Questions and answers - Post Grace period**

**Q1.** I am a British/Irish citizen. Do I need to apply to the EU Settlement Scheme?

A1. No. If you are a British or Irish citizen, you do not need to apply to the EU Settlement Scheme.

**Q2.** I have applied to the EU Settlement Scheme but have not yet been given a decision. Can I make a claim to benefits?

A2. Yes. You can make a new claim for benefit as long as the application to EUSS was made on or before 30 June 2021. You will be paid the benefit if you meet the eligibility criteria.

**Q3.** I have applied to the EU Settlement Scheme but have not yet been given a decision. Can I carry on getting benefits?

A3. Yes. If you are getting benefits and have already applied to the EU Settlement Scheme, your benefits will carry on being paid while you are waiting for the outcome of your application.

**Q4.** I have been given an immigration status by the Home Office under the EU Settlement Scheme. Do I need to tell you?

A4. You do not need to let us know. If we need more information about your immigration status, we will contact you.

**Q5.** I have applied to the EU Settlement Scheme and have not been given an immigration status? Am I able to get benefits?

A5. No. If you do not have an immigration status you cannot get UK benefits. If you disagree with the Home Office decision, please contact the EU Settlement Resolution Centre as soon you can on 0300 123 7379.

**Q6.** I have applied to the EU Settlement Scheme and have not been given an immigration status. I am now appealing the decision. Am I able to get benefits?

A6: Yes. If you are already getting benefits and your appeal to the EU Settlement Scheme is in progress, your benefits will carry on being paid while a decision is being made as long as the application to EUSS was made on or before 30 June 2021.

**Q7.** I have applied to the EU Settlement Scheme and have not been given an immigration status. I am now appealing the decision. Can I make a new claim for benefits?

A7. Yes. You can make a new claim for benefit as long as the application to EUSS was made on or before 30 June 2021. You will be paid the benefit if you meet the eligibility criteria.

**Q8.** I made an application to the EU Settlement Scheme but was not given an immigration status. I have no money. What can I do?

**A8.** You cannot get UK benefits or services if you do not have an immigration status.

If you think the Home Office decision about your status should be different you may be able to apply again or appeal the decision. Contact the EU Settlement Resolution Centre as soon you can on 0300 123 7379.

If this decision causes you hardship you can contact a local support organisation (e.g. Citizens advice Bureau or Welfare rights) who can provide independent help and support. You can find their details online, at your local library or in the telephone directory.

If you need help managing your money, please contact the Money Advice Service as soon as you can. They offer free independent advice about how to make the best of your money, including budgeting, savings and dealing with debt. To find out more, go to [www.moneyadviceservice.org.uk](http://www.moneyadviceservice.org.uk)

**Q9.** I have appealed against my EU Settlement Scheme decision and have won. I am getting multiple benefits including Housing Benefit. Do I need to tell each benefit separately?

A9. You do not need to let us know. If we need more information about your immigration status, we will contact you.

**Q10.** I first arrived in the UK before 1 January 1973 and I am protected by the 1971 Immigration Act and may carry on getting benefits, but I have no evidence of this from the Home Office. What should I do?

A10. If you arrived in the UK before 1 January 1973 you will need to contact the Home Office as they may be able to give you evidence. If they cannot do this, then you may need to apply for Settled Status under the EU Settlement Scheme. You can contact the EU Settlement Resolution Centre on 0300 123 7379. Your benefits will carry on while your application is being considered.

**Q11.** I have Indefinite Leave to Remain in the UK. Do I need to apply to the EU Settlement Scheme?

A11. If you have indefinite leave to remain then you do not need to apply to the EU Settlement Scheme. You may need to provide evidence of your indefinite leave. You will usually have a stamp in your passport or a letter from the Home Office saying this. If you do not have this, you will need to contact the Home Office on 0300 123 7379.

**Q12.** I have an immigration status but I don't have any evidence. what should I do?

A12. You will need to contact the Home Office and they will tell you what you can do next. You can contact the EU Settlement Resolution Centre on 0300 123 7379

**Q13.** I haven't applied to the EU Settlement Scheme yet. Is it too late?

**A:** No. The deadline to apply to the EU Settlement Scheme was 30 June, but you may still be able to make a late application. You must apply straight away. To apply for the EU Settlement Scheme please visit [gov.uk/eusettlementscheme](https://www.gov.uk/eusettlementscheme) or call 0300 123 7379.

Family members living in the UK who are non-EEA nationals may also be able to make a late application to the EU Settlement Scheme. They should apply even if they have a Biometric Residence Card (BRC).

**Q14.** I am already getting benefits and haven't applied to the EU Settlement Scheme/Home Office. Do I still need to apply?

A14. Yes. If you are an EU, EEA or Swiss national and are getting benefits but have not applied to the EU Settlement Scheme, you must make a late application straight away. You will need to have an immigration status from the Home Office to carry on getting UK benefits and other public services. To apply for the EU Settlement Scheme please visit [gov.uk/eusettlementscheme](https://www.gov.uk/eusettlementscheme) or call 0300 123 7379.