

What will change for EU citizens living in the UK?

EU citizens living in the UK before 1 January 2021

The UK government has pledged to protect the rights of any EU citizens living in the UK on 31 December 2020. EU citizens will have to register with the government's EU settlement scheme before 30 June 2021.

Anyone who can prove they have lived in the UK continuously for five years or more should be eligible for settled status. Those with settled status can stay in the UK as long as they like and spend five years in a row outside the UK without losing their status.

Anyone who can prove they have lived in the UK for less than five years, including those who have moved during the transition period, should be eligible for pre-settled status. Those with pre-settled status can remain in the UK while they gain the five years of residency needed to apply for 'settled status'. Those with pre-settled status can spend two years in a row outside of the UK without losing their status.

EU nationals can apply for the settled status scheme for free, using the online system and app to upload documents. Those without their own technology may use someone else's phone.

When applying for settled status, the applicant's National Insurance number is used to check their eligibility based on tax and benefit records. If insufficient records are found, individuals may need to submit additional documents, such as annual bank statements, letters from their employer or council tax bills. Those applying for pre-settled status can submit a range of documents including payslips, domestic bills and passport stamps confirming entry to the UK.

It usually takes around five working days for complete applications to be processed, but it can take up to a month. Applications will likely take longer if more information is requested, the applicant is a minor or an application is submitted on paper.

Irish citizens in the UK do not need to apply for settled status, as Ireland and the UK will remain part of the Common Travel Area (CTA).

EU citizens moving to the UK from 1 January 2021

EU citizens living in the UK from 1 January 2021 will need to comply with new UK immigration requirements.

Those wishing to work in the UK will need a work visa. In most cases, individuals will apply through the new 'skilled worker' route, which will require them to have a job offer from a Home Office licensed sponsor company, a job at a required skill level (A level or equivalent) and speak English to the required standard. The job must also meet the applicable minimum salary threshold, which will be the higher of £25600 or the 'going rate' for the specific role they intend to take. It will be possible to 'trade' some of these characteristics if the job is in a shortage occupation or the individual has a PhD.

The UK has no specific retirement visa. EU citizens wishing to retire in the UK from January will need to check if they are eligible under the UK's immigration rules.

As with UK citizens moving to the EU from 1 January 2021, details around social security coordination are subject to ongoing negotiations and may be affected by pre-existing agreements between the UK and EU member states.