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Nicky is the owner of HR Support Consultancy. She has a BA(Hons) in Business Studies, is a member of the Chartered Institute of Personnel and Development and has been a practising HR manager for more than 20 years. HR Support Consultancy has provided the BVNA Members Advisory Service (formerly known as the Industrial Relations Service) since it began in 2002.

Settlement status for EU nationals

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There were an estimated 2.37 million EU nationals working in the UK in the first few months of 2019. Polish citizens form the largest group Irish citizens are the second largest, other large groups include citizens of Romania, Portugal, Italy, France and Lithuania (Office of National Statistics).

At the time of writing this article, we do not know if there will be a deal when the UK leaves the EU. But whatever the terms of the UK leaving are, EU nationals will need to apply to stay in the UK. (If you have a UK permanent residence document you will still need to apply.)

The UK government has introduced a Settlement Scheme and all people who are EU nationals in the UK need to apply. You need to be a resident in the UK by 31st December 2010 to apply (but this date could be brought forward if the UK leaves the EU without a deal). Applications must be made by 30th June 2021 (but this date will be brought forward to 31st December 2020 if the UK leaves the EU without a deal).

If you have Non-EU family members who are living in the UK by 31.12.2020 they can apply. If they are not living in the UK by this date, they will be able to apply later on as long as the relationship still exists.

How to apply?

There is an application form at gov.uk/apply-eu-settled-status. It is free to apply.

The application process will cover three areas, identity, UK residence and criminality. Help and support if available if you need it.

You will need to provide some proof of identity—using your passport, national identity card or biometric residence card if you are a non-EU citizen. You can scan the document using an Android device, you can post it, or there are some ID

document scanning service locations you can use. You also have to upload a digital photo.

You will need to provide proof of residence—by providing your National Insurance Number and perhaps other documents.

Criminality check, you will have to declare any criminal convictions, (only serious or persistent criminality will affect your application).

Confirmation will be digital; you will not receive any confirmation in the post.

Pre-settled status

This is also known as limited leave to remain or enter. If you have less than five years residence in the UK, you can generally stay in the UK until you have five years residence and are eligible for settled status.

For help go to gov.uk/eu-settled-status. The telephone no is 0300 123 7379 (from UK).

Many good employers will assist in practical ways and support their employees. There is no requirement for an employee to inform their employer that they have applied for settled status or to inform them of the outcome. An employer should not discriminate on the basis of whether an employee is applying, or has applied to the scheme (existing 'right to work' checks (e.g. passport and/or national identity card) apply until the end of 2020.

Contact the BVNA Employment Advice line if you would like assistance with this or any other employment matter.

For further support with this or any other HR issue, BVNA members can call the BVNA Advisory Service Helpline on 01822 870270 or email nickyackerley@hrsupportconsultancy.co.uk