



THE OUTSOURCED PAYROLL PEOPLE

**New Immigration Rules
EU Settlement Scheme**



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What is the EU Settlement Scheme?

- On 13 July 2020 the government set out further details on the UK's points-based system. These new arrangements will take effect from **1 January 2021**, when freedom of movement within the European Union has ended.
- The Scheme will treat EU and non-EU citizens equally and aims to attract people who can contribute to the UK's economy. Irish citizens will continue to be able to enter and live in UK as they do now.
- All EU workers currently already in the UK need to apply for 'settlement status' to be able to continue working / residing in the UK.
- For anyone who wants to live and work in the UK after 1 January 2021 – they will need to apply for a Skilled worker Visa and be sponsored by a licensed employer.



Settled and Pre-Settled Status

PRE-SETTLED STATUS

- If you do not have 5 years' continuous residence when you apply, you'll usually get pre-settled status. You must have started living in the UK by 31 December 2020. You can stay in the UK for a further 5 years from the date you get pre-settled status.
- Once you have 5 years' continuous residence you can apply to change to settled status, you must apply before your pre-settled status expires.
- If you'll reach 5 years' continuous residence prior to 30 June 2021, you can choose to wait to apply until you reach that point. This means that if your application is successful, you'll get settled status without having to apply for pre-settled status first.

SETTLED STATUS

- You'll usually get settled status if you started living in the UK by 31 December 2020 and have lived in the UK for a continuous 5-year period.
- Five years' continuous residence means that for 5 years in a row you've been in the UK, Channel Islands or the Isle of Man for at least 6 months in any 12-month period.



Who needs to apply?

- Anyone currently living or working in the UK who is not a UK citizen must apply for settlement status by 30 June 2021.
- You are an EU, EEA or Swiss Citizen.
- You are not an EU, EEA or Swiss Citizen **BUT** your family member is.

You **DO NOT** need to apply if you are a British Citizen or have been given indefinite leave to remain.



RIGHT TO WORK CHECKS

- Between 1 January 2021 and 30 June 2021 Omnia can continue to accept EU passports / identity cards as Right to Work documents.
- Before 30 June 2021 each EU Citizen that is working in the UK will need to apply for settlement status and will be given a code to share with employers to check the status (similar to the current BRP check), this will be accepted as a Right to Work.

[Prove your right to work to an employer](#)

- Anyone entering the UK to work after 1 January 2021 will need to apply for a Skilled worker Visa – using the points based system.
- **To work in the UK after 31 December 2020 workers will need either settlement status with the Home Office or a Skilled worker Visa.**



Employing non-UK nationals after 31 December 2020

- **To employ non-UK Citizens after 31 December 2020 employers will need to become a sponsor** - employers can find out more here, [recruiting people from outside the UK from 1 January 2021 guidance](#).
- Each potential candidate will need to achieve 70 points to be eligible to work in the UK – 50 points can be gained from the following:
 - Job offer from approved sponsor
 - Skill level (A Level equivalent)
 - English language requirements
- The additional 20 points are made up through the salary requirements (currently set at £25,600 annual minimum) or appropriate skill level. Skill levels are set out by the Home Office



USEFUL LINKS

[Government website – EU points system explained](#)

[Skilled Work Codes](#)

[Home Office checking service](#)



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Omnia is committed to helping our clients and contractors, if you have any questions please contact our team of experts on:

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