

Brexit: EEA nationals

This factsheet explains who is eligible to apply for help when homeless, social housing and benefits after 30 June 2021.

EEA: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, plus Iceland, Norway, Liechtenstein and Switzerland.

If you're an EEA national or a family member of an EEA national, you are eligible to apply for help with homelessness and housing if you have:

- settled status under the EU Settlement Scheme
- pre-settled status or temporary protection and a right to reside under retained EU law that makes you eligible

Temporary protection applies if you made your application to the Scheme before 30 June 2021 but haven't received a decision yet.

Settled and pre-settled status

EEA nationals and their family members who wish to continue living in the UK after 30 June 2021 had to apply to the [EU Settlement Scheme](#) before that date. The Scheme grants status based on the length of residence in the UK either as an EEA national or a family member, including those with derivative or retained rights.

The Scheme grants two types of status:

- **settled status** – usually granted to those who have lived in the UK for 5 years
- **pre-settled status** – granted to those who have lived in the UK for less than 5 years

Settled status is a form of **indefinite leave to remain**. People with settled status are **eligible** for help when homeless and can apply for social housing and benefits. They don't have to be eligible under retained EU rules.

If you have pre-settled status or temporary protection, you can apply for help with housing and benefits if you are eligible under the retained EU rules.

EU Settlement Scheme is UK immigration law. Seek advice from a [charity](#) funded by the government to help with applications under the Scheme or from a [certified immigration adviser](#) if you:

- have missed the 30 June 2021 deadline
- are finding it difficult to apply
- have been refused status or granted an incorrect one

Temporary protection

If you have not received a decision from the EU Settlement Scheme yet, you have temporary protection and are eligible for housing and benefits if:

- you had any right to reside in the UK under EU law on 31 December 2020

- when you apply for housing or benefits, you are eligible under the retained EU rules, for example as a worker or a family member of an EEA worker

Retained EU rules that make you eligible

If you have pre-settled status or temporary protection and need help with housing or benefits, you need to have a right to reside under retained EU rules that makes you eligible for help, for example:

- as a worker or self-employed person
- a permanent right to reside – usually after 5 years of exercising rights under EU law

You may continue to be eligible for help with housing and benefits if you have stopped working or being self-employed because you:

- are sick
- are in the late stages of pregnancy
- have started vocational training
- have lost your job

Family members

If you are a family member of an eligible EEA national, you are eligible.

You may also be eligible if you:

- have gone through divorce
- your EEA family member died or left the UK
- you are a primary carer of a child in education and the other parent is or was an EEA worker

Some family members, for example unmarried partners, need documents from the Home Office confirming their status. Others, for example children and spouses, don't need them. Some family members may be able to rely on the pre-31 December 2020 rules until 2022.

The law is complicated, so seek specialist immigration advice if you're unsure what to do.

Immigration advice

If you need help with your immigration status, get advice from a [certified adviser](#).

Further advice

You can get further advice from england.shelter.org.uk/housing_advice, local Shelter advice service or local Citizens Advice.

If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on **0808 800 4444** for advice and information on your options.*

*Calls are free from UK landlines and main mobile networks.



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Note
Information contained in this factsheet is correct at the time of publication. Please check details before use.