

Checklist: EEA Nationals and Family Members of EEA Nationals

European Union (EU):

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, Netherlands, Portugal, Romania, Spain, Sweden and the UK

A8:

Poland, Lithuania, Latvia, Estonia, Hungary, Czech Republic, Slovakia, and Slovenia

A2:

Romania and Bulgaria

European Economic Area (EEA):

EU plus Iceland, Norway and Lichtenstein

European Free Trade Association (EFTA):

Iceland, Norway, Lichtenstein, Switzerland (Switzerland is not a member of the EEA, however Swiss nationals enjoy virtually the same rights as EEA nationals due to treaties between Switzerland and the EEA)

- What nationality is your client? (you will need to check if the client has dual nationality)
- When did your client come to the UK? (You will need to check if the client has entered the UK multiple times)
- Does your client have settled status under the EU settlement scheme?
- If the client has been in the UK over 5 years, but does not have settled status under the EU settlement scheme:
 - Has your client been a qualified person for a consecutive 5 years? A qualified person is:
 - a worker (please note there were restrictions imposed on some A8 nationals before the 30 April 2009 and some A2 nationals before the 31 December 2013)
 - a self-employed person
 - a jobseeker (please note prior to the 1st January 2014 there was no time limits on how long an EEA national could retain jobseeker status)
 - a self-sufficient person (has the client had comprehensive sickness insurance whilst they were self-sufficient?)
 - a student (has the client had comprehensive sickness insurance whilst they were a student?)

- Has there been a break in immigration status during a five-year period? (please note continuity of residence is not affected by up to six months absence from the UK in any period of 12 months, any period of absence from the UK on military service, or any absence from the UK not exceeding 12 months for an 'important reason')
- Has your client been absent from the UK for over two consecutive years?

- Is your client currently employed or self-employed?

If yes:

- When did they start their (self) employment?
- How long have they been working/self-employed?

If no but the client has been employed or self-employed in the UK before:

- When did your client stop working/self-employment?
- Why did your client stop working/self-employment e.g. was this due to health, a pregnancy or giving birth, retirement or permanent incapacity?
- How long did your client work before he/she stopped?
- Is your client looking for work/likely to look for work in the future?
- Is your client registered with the job centre?

- Is your client a family member of another EU/EEA citizen (or a Swiss citizen) who is or has been a worker/a self-employed person?

If yes:

- How old is the client?
- How are they related?
- Have they been in the UK at the same time as their family member and has this been for over 5 years?
- Has the EEA national been a qualified person for 5 years
- If your client and their spouse are estranged, are they still married?
- Has the EEA family member retired/died/left the UK?
 - If so, when?
- If your client is a cohabitee of an EEA national:
 - does he/she have a registration certificate/residence card?
 - are they still in a relationship?

- Is your client an extended family member of an EEA/Swiss national?

If yes:

- Does the client have a residence card/registration certificate/EEA family permit from the UKVI?

- Is your client a family member of a British citizen returning to the UK?

If yes:

- Has the British citizen resided in another EEA state for at least three months as a qualified person i.e. worker, student, self-sufficient etc or acquired a permanent right to reside?
- Was the client residing with the British citizen in the other EEA state as a 'family' or 'extended family' member?
- Is the British citizen a qualified person on returning to the UK (please note there is a grace period of up to three months on return)

- Is your client a carer for a child?

If yes:

- Is the other parent an EEA national?
- Is the child in education?
- Was the child living in the UK when either EEA national parent was working in the UK?
- Was the child in education at some point when the EEA national parent who was working was living in the UK?

- Is your client vulnerable or has dependent child and is not eligible for homelessness assistance?

If yes:

- Has a referral to social services been made?