Home Office

Crystal Mark 23753
Clarity approved by Plain English Campaign

Windrush Compensation Scheme Close Family Claim Form

Who can claim using this form?

You should use this form if you meet the conditions in section 1.1 and your life has been affected as a close family member of a primary claimant who could not prove their lawful status in the United Kingdom (UK).

If you are the primary claimant, you should use the Windrush Primary Claimant Form.

If you are representing the estate of someone who would have been eligible for compensation, you should use the Windrush Deceased Estates Form.

About this form

This claim form is for one person only. Compensation scheme caseworkers will use it to decide whether you are eligible for and entitled to compensation. Please use the guidance notes that come with this form when filling it in − they will help you understand the terms we use and how best to fill in the form. If you are unable to answer a question, please do not worry.

If you cannot fit all the information you want to give us on the form, you can send us extra pages.

Minimum amount of information required

There is a minimum amount of information that we need for your claim. This means that you must:

- fill in your personal details in section 2;
- provide information about the person linking you to the scheme;
- make a claim for compensation in one or more categories;
- fill in section 4: Compensation;
- fill in the declaration page and make sure you sign your claim form; and
- provide, in a format we accept, evidence to confirm your identity and address (see section 2).

If you do not provide this information, we will contact you to ask for it. This may delay your claim.

If you still do not provide this information after we contact you, we will not be able to take your claim further.

24 October 2023

What if I need help to fill in the form?

If you need help filling in the form, you can:

- call the Windrush Help Team on 0800 678 1925 (this line is free to call from within the UK); or

- email WindrushCompensationScheme@homeoffice.gov.uk.

The Help Team can, if you agree, refer you to We Are Group (our claimant assistance provider, formerly known as We Are Digital) who will contact you to help you fill in the form. Their service is free of charge.

Or, you can contact We Are Group direct on 0808 196 8496. This line is free to call from within the UK.

You should not need legal assistance to make a claim, but you can get this help if you want to.

Where do I send the filled-in claim form?

You can send your filled-in form and supporting documents in the following ways.

- **Scan the form and documents and email them to: WindrushCompensationScheme@homeoffice.gov.uk**
- **Post to: Freepost WINDRUSH COMPENSATION SCHEME (no stamp needed)**
- **From overseas, post to: Windrush Compensation Scheme, PO Box 3468, Sheffield, S3 8WA, United Kingdom**

Documents to support your claim

If you can give us the information and evidence we ask for, it will help us decide your claim for compensation. **However, if you don't have any evidence for a particular category, please don't worry as we will try to help you to get this.**

Do not send us original documents. Only send us photocopies or scans of your documents. If we need to see an original document, we will ask you to send it to us and we will return it to you by secure post.

We suggest that you do not pay anyone else to get documents. If you think a document someone else has will support your claim but they will charge you for it, mention this on your claim form. If we need the document to support your claim, we will contact the person to get it for you, if you agree to this.

Section 1: Eligibility

If you do not provide the minimum information we need, we will contact you. This may cause a delay in your claim. If we contact you and you do not respond, we will not be able to take your claim further. To help us assess your claim, please provide as much information as possible.

Evidence

We will consider all evidence to do with the **primary claimant's** date of arrival or date of birth in the UK, time spent in the UK and lawful status in the UK. You should also give evidence of **your** lawful status in the UK (if you are applying from within the UK). Evidence can include, but is not limited to, any of the following.

- A current, valid British passport
- A `certificate of entitlement' to the right of abode in a current, valid or expired foreign national passport
- An indefinite leave to enter stamp in a current, valid or expired foreign national passport
- An NTL (no time limit) stamp in a passport, or a biometric residence permit
- A nationality status letter from the Home Office
- A certificate of naturalisation or registration

If the primary claimant has died, these documents do not need to be current.

If you believe that the primary claimant is eligible because of their parent or grandparent, you should provide evidence of their relationship. This can include, but is not limited to, any of the following.

- The primary claimant's full birth certificate
- The full birth certificate of the relevant parent or grandparent
- The current or expired passport of the relevant parent or grandparent which shows their lawful status in the UK
- Correspondence from other government departments

You should also provide evidence of your relationship to the primary claimant. This can include, but is not limited to, any of the following.

- A marriage certificate or civil partnership certificate
- A divorce certificate
- A birth certificate
- An adoption certificate

If it applies, you should also provide evidence to show you live, or lived, with the primary claimant. This can include but is not limited to, any of the following.

- Household bills, for example gas, electricity, or other utility bill
- Bank statements or letters
- A local authority council tax bill in joint names
- A rent book in joint names

1.1. As a close family member, you must make sure two sets of conditions are met, as follows.

Tick which condition you think best applies to you.

☐ I am the mother or father of the primary claimant

☐ I am the brother or sister of the primary claimant

☐ I am the son or daughter of the primary claimant

☐ I am the husband, wife or civil partner of the primary claimant

☐ I am the unmarried partner of the primary claimant (and have lived with the claimant continuously for two years or more

Tick the condition you think best describes the primary claimant.

☐ They came to live permanently in the UK as a Commonwealth citizen before 1 January 1973, and have lived in the UK ever since.

☐ They came to live permanently in the UK as a Commonwealth citizen before 1 January 1973, and lost their settled status because they left the UK for more than two years, but they are now in the UK lawfully.

☐ They are a Commonwealth citizen with right of abode and were ordinarily resident in the UK on 1 January 1973.

☐ They previously met one of the above conditions and they are now a British citizen.

☐ They came to live in the UK before 31 December 1988 and have right of abode, settled status or are now a British citizen.

They are not currently living in the UK but came to live permanently in the UK as a Commonwealth citizen before 1 January 1973 and:

- ☐ they have right of abode or settled status;
- ☐ they are now a British citizen; or
- ☐ they have lost their settled status because they left the UK for a period of more than two years.

☐ Their parent either:
- came to live permanently in the UK before 1 January 1973; **or**
- has a right of abode and was ordinarily resident in the UK on 1 January 1973 (or met this requirement and is now a British citizen); **and**
- the primary claimant was born in the UK or arrived in the UK before the age 18, is not automatically a British citizen from birth and has lived in the UK since their birth or arrival; **or**
- the primary claimant was born in the UK or arrived in the UK before the age 18, is a British citizen, and automatically became a citizen of the UK and colonies or a British citizen at birth.

☐ Their grandparent either:
- came to live permanently in the UK before 1 January 1973; **or**
- has a right of abode and was ordinarily resident in the UK on 1 January 1973 (or met this requirement and is now a British citizen); **and**
- the primary claimant and their parent were born in the UK or arrived in the UK before the age 18, they are not automatically a British citizen from birth and the primary claimant has lived in the UK since their birth or arrival; **or**
- the primary claimant was born in the UK or arrived in the UK before the age 18, is a British citizen, and automatically became a citizen of the UK and colonies or a British citizen at birth.

If you are applying from overseas, please go to 1.3.

1.2. What is your lawful status in the UK? Please tick.

☐ British citizen

☐ Right of abode

☐ Indefinite leave to enter or remain (also known as settled status)

☐ Limited leave to remain but on a route to settlement

☐ Other

If you answered 'Other', please give details: _____

1.3. In the space below, please list the documents you are sending to show you can apply under the scheme and (if relevant) both your and the primary claimant's lawful status in the UK.

See the evidence section on page 3 for the documents you can send.

Section 2: About you

If you do not provide the minimum information we need, we will contact you. This may cause a delay in your claim. If we contact you and you do not respond, we will not be able to take your claim further. To help us assess your claim, please provide as much information as possible.

Evidence

You must send a copy of at least two documents, one document for proof of identity and another for proof of address. This cannot be the same document, and one document must include photo ID. You must also do the same for the primary claimant.

Proof of identity – acceptable documents

- A current, valid passport
- A UK biometric residence permit (BRP)
- A current, valid, full UK photocard driving licence with signature, or `old style' driving licence (if you provide an old-style licence, you must also send another form of photo ID from this list)
- A current, valid UK photocard provisional driving licence
- A Northern Ireland Voter's Card showing your current address
- An HM Revenue & Customs (HMRC) tax document, for example, a tax assessment, statement of account or notice of coding
- An original notification letter from the relevant benefits agency confirming your right to benefits or the State Pension
- An overseas national identity document

If the primary claimant has died, the documents you send do not need to be current.

Proof of address – acceptable documents (these must be dated within the last three months)

- A household utility bill (for example, gas, electric, water or landline phone bill but not a mobile phone bill)
- A current, valid, full UK photocard driving licence with signature or `old style' driving licence. We do not accept provisional licences as proof of address
- A bank, building society or credit card statement. We can accept online statements as long as they have the official stamp of the bank in question
- A local authority tax bill (for example, a council tax bill)
- A local authority rent book
- A solicitor's letter confirming a recent house purchase or Land Registry confirmation of a house purchase
- An HM Revenue & Customs (HMRC) tax document, for example, a tax assessment, statement of account or notice of coding
- An original notification letter from the relevant benefits agency confirming the right to benefits or the State Pension
- A Northern Ireland Voter's Card showing your current address
- A letter from the Home Office

If the primary claimant has died, the documents do not need to be dated within the last three months.

Please fill in this section to the best of your ability.

2.1. Title: Mr, Mrs, Miss, Ms, other

2.2. Full name (as it appears on your official documents):

2.3. Name you prefer to use (if different):

2.4. Maiden name or any other previous names (list all):

2.5. Gender (as stated on your official documents):

2.6. Date of birth (DD/MM/YYYY):

2.7. Current address: (If you have no fixed address, you should write `no fixed abode'.)

2.8. Mobile number:

2.9. Other number:

2.10. Email address:

2.11. Country of birth:

2.12. Current nationality:

2.13. Current passport number (if you have one):

2.14. Do you still have any expired passports?

- [ ] Yes
- [ ] No

2.15. Passport numbers of expired passports:

2.16. National Insurance number:

2.17. How would you prefer us to contact you? (Only fill in this section if you want us to speak to you, rather than your representative.)

- ☐ Phone
- ☐ Email
- ☐ Letter

2.18. If you have asked us to contact you by phone, is there a time or day that you would prefer to be contacted?

- ☐ Yes
- ☐ No

If yes, please give details:

Alternative contact - This should be someone we can contact if we cannot reach you. They do not have to be a family member. We will not discuss the details of your claim with them.

2.19. Full name:

2.20. Address and postcode:

2.21.Phone number:

2.22.Email address:

About the primary claimant

2.23. Title: Mr, Mrs, Miss, Ms, other

2.24. Full name (as it appears on their official documents):

2.25. Name they prefer to use:

2.26. Maiden name or all previous names:

2.27. Gender (as stated on their official documents):

2.28. Date of birth (DD/MM/YYYY):

2.29. Current address (please include the primary claimant's address, if you know it):

2.30. Country of birth:

2.31. Current nationality:

2.32. Current passport number:

2.33. Do they still have any expired passports?

- [ ] Yes
- [ ] No

2.34. Passport numbers of expired passports:

2.35. National Insurance number:

2.36. Have they contacted the Home Office since April 2018 about their status in the UK?

- [ ] Yes
- [ ] No

2.37. If yes, what reference number did we give them?

2.38. Please list the identity documents you are sending to support your claim.
See the evidence section on page 6 for the documents you can send.

Section 3: Timeline of events

Before we get into the details of your claim, the questions below will help us to begin to understand the difficulties that the primary claimant faced proving their lawful status in the UK and the time they have spent in the UK.

If the primary claimant was born in the UK, please go to question 3.2.

3.1. When did the primary claimant first arrive in the UK?

3.2. Has the primary claimant ever spent more than two years living abroad?

☐ Yes

☐ No

If no, please go to question 3.4.

3.3. How long did they live abroad for and in what years?

3.4. When did they first have difficulties proving their lawful status in the UK? (Please give the year and a short description of the circumstances.)

3.5. When did they receive documents confirming their lawful status in the UK? (Please give the year and the document (or documents) they received.)

3.6. Have you ever been to the UK?

- [ ] Yes
- [ ] No

3.7. When did you come to the UK for the first time?

3.8. Were you in the UK when the primary claimant experienced difficulties proving their lawful status?

- [ ] Yes
- [ ] No

Section 4: Compensation

If you do not provide the minimum information we need, we will contact you. This may cause a delay in your claim. If we contact you and you do not respond, we will not be able to take your claim further. To help us assess your claim, please provide as much information as possible.

You must fill in one or more categories in this section to meet the minimum information requirements. We recommend that you fill in all the sections, **even if you do not want to claim under that category.** This means you must answer all the questions unless the claim form states otherwise. Following these instructions will help you receive the maximum compensation you are entitled to. If you do not have evidence to support your claim under a particular category, don't worry as we will try to help you get this evidence. For more details on how to fill in this section, please read page 14 of the guidance.

1. Immigration applications, fees and legal costs

Please see pages 39 to 42 of the Windrush Compensation Scheme Caseworker Guidance to understand when an award can be made.

Evidence

You do not need to give us evidence of immigration applications you paid for in the past. We will check our records to confirm the information you provide.

If you paid for legal advice when making any of the applications you are claiming for in this category, you should provide proof of this, which can include, but is not limited to, any of the following.

- A paid invoice or receipt from a legal representative (this must be on an official letterhead and must show what the legal costs relate to)
- A bank or credit card statement which shows the legal costs you paid
- Proof from the legal representative that you paid the charges in full
- Written confirmation from the primary claimant (or, if they have died, the person representing their estate) saying that:
  - you paid for the application or legal costs (or both);
  - they agree you should claim the costs back; and
  - they will not make further claims for the application or legal costs.

If you do not have any evidence for this category, don't worry as we will try to help you get this evidence.

1a. Have you ever made an unsuccessful immigration application for the primary claimant for any of the following? (Please tick whichever apply.)

☐ British citizenship

☐ Confirmation of British nationality status

☐ Certificate of entitlement to a right of abode

☐ No time limit (NTL)

☐ Indefinite leave to remain (ILR)

☐ Indefinite leave to enter (ILE)

☐ Returning Residents Visa

☐ None of the above

If you have ticked `None of the above', please go to question 1h.

1b. When did you make these applications for the primary claimant?

1c. Did you pay for any other applications for the primary claimant following the unsuccessful applications?

☐ Yes

☐ No

If no, please go to question 1h.

1d. What applications did you make? Please list.

1e. When did you make these applications?

1f. Did you pay for legal advice when making any of the applications above?

☐ Yes

☐ No

If no, please go to question 1h.

1g. Please give details of who provided this legal advice, the services they provided, and the amount you paid on behalf of the primary claimant.

1h. If you would like to give any more information about your claim under this category, please write it in the box below.

1i. Please list the documents you are sending to support your claim under this category. See the evidence section on page 12 for the documents you can send.

Leave the space below blank if you are not claiming under this category or don't want to send us any documents.

2. Impact on life

Please see pages 82 to 86 of the Windrush Compensation Scheme Caseworker Guidance to understand when an award can be made.

Evidence

Please provide any evidence you can to support your statements. This can include information you have given us to support other categories you are claiming under. If you have suffered from a mental or physical health condition, please provide medical evidence if this is available.

If you do not have any evidence for this category, don't worry as we will try to help you get this evidence.

2a. Please tell us how your life was affected because the primary claimant could not prove their lawful status in the UK. We call this `impact on life' and it may include, but is not limited to, inconvenience, anxiety, ill health or a change in your well-being, being separated from your family, missing important family occasions or being unable to return to the UK after travelling abroad.

Please give dates where possible.

2b. In the space below, please list the documents you are sending to support your claim under this category. See the evidence section on the previous page for the documents you can send.

Leave this space blank if you don't want to send any documents.

3. Living costs

Please see pages 89 and 90 of the Windrush Compensation Scheme Caseworker Guidance to understand when an award can be made and what additional documents you need to provide.

Evidence

You should provide evidence to show that you paid living costs to, or on behalf of, the primary claimant you are related to. This can include, but is not limited to, any of the following.

- Bank statements showing payments
- Proof of payment, for example, receipts or invoices

You should also provide a signed statement from the primary claimant stating that information linked to their claim, or potential claim, can be shared with you as part of your claim under living costs.

If you do not have any evidence for this category, don't worry as we will try to help you to get this evidence.

3a. Have you ever paid any living costs to, or on behalf of, the primary claimant you are related to?

(Living costs include rent, utilities (gas, water and electricity), council tax, food and household essentials, travel costs and prescription fees.)

☐ Yes

☐ No

If no, please go to question 3m.

3b. Why did you pay these living costs?

☐ The primary claimant lost access to employment as they could not prove their lawful status in the UK

☐ The primary claimant lost access to benefits as they could not prove their lawful status in the UK

☐ Other

If you answered 'Other', please give details:

3c. How did you pay these living costs to, or on behalf of, the primary claimant?

☐ Bank transfer

☐ Cash

☐ Other

If you answered 'Other', please give details:

3d. Did you pay these living costs more than once?

☐ Yes

☐ No

If yes, please go to question 3g.

3e. How much did you pay to, or on behalf of, the primary claimant?

3f. When did this happen? Please give the date:

Please go to question 3j.

3g. When did you first pay living costs to, or on behalf of, the primary claimant?

3h. When did you stop paying living costs to, or on behalf of, the primary claimant?

3i. What is the total amount that you paid to, or on behalf of, the primary claimant?

3j. What did the primary claimant use this money for? Please explain.

3k. Do you have a signed agreement from the primary claimant stating that information linked to their claim, or potential claim, in relation to employment or benefits can be shared with you as part of your claim under living costs?

- [ ] Yes
- [ ] No

If no, please say why.

If yes, please make sure you enclose a copy of the signed agreement when sending this claim form. If you do not provide this, it may delay your claim.

3l. Do you have a signed agreement from other close family members (who are linked to the primary claimant) stating that they have not made and will not make additional claims for the living costs you are claiming for?

- [ ] Yes
- [ ] No

If no, please say why.

If yes, please make sure you enclose a copy of the signed agreement when sending this claim form. If you do not provide this, it may delay your claim.

3m. If you would like to give any more information about your claim under this category, please use the space below.

3n. In the space below, please list the documents you are sending to support your claim under this category. See the evidence section on page 18 for the documents you can send.

Leave this space blank if you are not claiming under this category or don't want to send any documents.

4. Discretionary

Please see pages 87 to 89 of the Windrush Compensation Scheme Caseworker Guidance to understand when an award can be made.

This category is for those who have experienced financial loss that is **not covered** by another category and is included in the scheme.

4a. Have you suffered any other significant financial losses because the primary claimant could not prove their lawful status in the UK?

☐ Yes

☐ No

If no, please go to section 5.

4b. Please give details of these losses below. You should explain what you are claiming for and why, and the dates you were affected.

4c. In the space below, please list the documents you are sending to support your claim under this category.

Leave this space blank if you aren't claiming under this category or don't want to send any documents.

Section 5: Declaration

Please check that you have provided your personal details and filled in all sections of the categories that you are claiming under. Please make sure (where possible) that you have provided evidence to support your claim and filled in the declaration page.

To continue with your claim, we need a minimum amount of information. This means you must:

- fill in your personal details in section 2;
- provide information about the person linking you to the scheme;
- make a claim for compensation in one or more categories;
- fill in section 4: Compensation; and
- fill in this declaration page and make sure you sign your claim form.

If you do not give us this information, we will contact you to ask for it. This may delay your claim.
If you still do not provide this information after we contact you, we will not be able to take your claim further.

By signing below, you are confirming that:

- the information given in this claim form is correct; and
- you promise to tell us if any of the information changes or is found to be inaccurate.

If you are claiming for immigration application fees, you are also confirming that the primary claimant has given you permission to do so.

The Data Protection Act 2018 and the General Data Protection Regulation govern how we use personal information. For details of how we will use your personal information and who we can share it with, see our Privacy Notice at www.gov.uk/windrush-compensation or ask for a copy from the Windrush Helpline on 0800 678 1925. The Privacy Notice also explains your main rights under the act, how you can see your personal information, and how to complain if you have any concerns. Please see the declaration section of the guidance for more information.

Please tick **one** box which applies to you and sign your name at the end of the document.

☐ I am the close family member and I am the person to contact if you need to discuss my claim

☐ I am the close family member and I would like you to talk to my representative if you need to discuss my claim (**fill in the section on page 24**).

☐ I am making this claim on behalf of the close family member who is under the age of 18. I confirm that I have parental responsibility for them (**fill in the section on page 24**).

☐ I am making this claim on behalf of the close family member who lacks capacity. I confirm that I am their representative and I understand that I will require power of attorney or confirmation of deputyship (**fill in the section on page 24**).

Please also tick the boxes to confirm that you have:

☐ included the correct contact information (on pages 7, 8 and 24); and

☐ enclosed all the documents that you listed at the end of each category.

Your signature: _____

Date: _____

Print your name: _____

The Windrush Compensation Scheme has been open since 2019 and we want everyone who is eligible to apply. To help us better understand how effective we have been at raising awareness of the scheme, please tell us how you heard about it by ticking a box (or boxes) below.

- ☐ Word of mouth
- ☐ GOV.UK website
- ☐ Community organisation (please say which): _____
- ☐ We Are Group (formerly known as We Are Digital)
- ☐ Representative (please say who): _____
- ☐ Home Office event
- ☐ Media - TV, radio, press, leaflet, social media (please say which): _____
- ☐ Windrush help team
- ☐ Other (please say): _____

Contact details for representative or person with parental responsibility (if this applies)

Evidence

If you are making a claim on behalf of a close family member who lacks capacity, you should:

- show that you have power of attorney or confirmation of deputyship (legal authority to act) over their financial affairs; and
- provide two identification documents (see the evidence section on page 6).

If you are making a claim on behalf of a close family member who is under the age of 18, you should provide documents to prove you have parental responsibility. This includes any of the following.

- Birth certificate
- Adoption certificate
- Parental Responsibility Agreement
- Parental Responsibility Order

Also provide two identification documents (see the evidence section on page 6).

If you are the representative of a close family member, you do not need to provide extra documents.

Name:

Current address and postcode:

Mobile number:

Other number:

Email address:

How would you prefer us to contact you?

☐ Phone
☐ Email
☐ Letter

If you have asked us to contact you by phone, is there a time or day that you would prefer to be contacted?

☐ Yes
☐ No

If yes, please give details: