



Home Office

Windrush Compensation Scheme Primary Claimant Claim Form

Please complete this form using the accompanying guidance

What is this claim form for?

You should complete this form if you want to claim compensation from the Windrush Compensation Scheme.

Who can claim using this form?

You are eligible to claim if you meet the criteria in Section 1 and have personally experienced direct impact or loss as a result of difficulties demonstrating your lawful right to stay in the United Kingdom.

If you are claiming on behalf of an estate of a deceased person, use the Deceased Estates form.

If you are claiming as a close family member, use the Close Family form.

About this form

This claim form is for one individual only. It will be used by compensation scheme caseworkers to assess any losses for which you may be entitled to claim. The accompanying guidance will help you understand the terms we use and explain how best to complete the form. Please complete this form using the accompanying guidance notes.

What if I need help to complete the form?

Our intention is to make this process as easy as possible for you. We do not believe you should need legal assistance to make a claim but there is nothing to prevent you from seeking this if you want to.

If you need help completing the form, you can:

- call the Windrush Helpline on 0800 678 1925. This line is free to call from within the United Kingdom
- email WindrushCompensationScheme@homeoffice.gov.uk

The team may refer you to the Claimant Assistance Service which will then contact you to offer assistance to complete the form.

Where do I send the completed claim form?

Send the completed form and the information (see the Claim Guidance document) to support your claim to:

Scan and email:

WindrushCompensationScheme@homeoffice.gov.uk

United Kingdom Freepost:

Freepost WINDRUSH COMPENSATION SCHEME

Overseas: Windrush Compensation Scheme, PO Box 3468, Sheffield, S3 8WA, United Kingdom

April 2019

Section 1: Eligibility

For us to process your claim we need to check your eligibility. You need to meet one of the following criteria in order to claim. Tick which criteria you think best applies to you. For more explanation see the guidance notes.

- (a) I came to live permanently in the United Kingdom before 1 January 1973 as a Commonwealth citizen, and I have lived in the United Kingdom ever since

- (b) I came to live permanently in the United Kingdom before 1 January 1973 as a Commonwealth citizen and my status lapsed because I left the United Kingdom for more than two years but I am now lawfully here

- (c) I am a Commonwealth citizen with a Right of Abode and was ordinarily resident in the United Kingdom on 1 January 1973

- (d) I previously met one of the above criteria and am now a British citizen

- (e) I came to live in the United Kingdom before 31 December 1988 and have a Right of Abode, settled status or am now a British citizen

- (f) I am not currently living in the United Kingdom but I came to live permanently in the United Kingdom before 1 January 1973 as a Commonwealth citizen and have a Right of Abode or settled status or am now a British citizen or my settled status lapsed because I left the United Kingdom for a period of more than two years.

- (g) My parent or grandparent either (i) came to live permanently in the United Kingdom before 1 January 1973, or (ii) has a Right of Abode (or did and is now a British Citizen) and was ordinarily resident in the United Kingdom on the 1 January 1973 and I (and if I am a grandchild, my parent) was born in the United Kingdom or arrived in the United Kingdom before the age of 18 and I have lived here ever since

Section 2: About the primary claimant

2.1 Full name

2.2 Your gender Male Female

2.3 Your previous names (for example, if your name changed when you got married)

2.4 Date of birth

2.5 Address

House number and street name:

Town/city:

County:

Country:

Postcode:

2.6 Country of birth

2.7 Nationality

2.8 Telephone number

2.9 Email address

2.10 Current passport number

2.11 Do you still have any expired passports?

Yes No

2.12 Expired passport numbers

2.13 National Insurance number

2.14 Have you contacted the Home Office since April 2018 about your status in the United Kingdom?

Yes No

If yes, what is your reference number?

Section 3: Compensation

3.1 Set out below are the different categories under which you can claim compensation. Tick those applying to you. You will need to be able to prove that any impact or loss you suffered was a direct result of being unable to demonstrate your lawful right to stay in the United Kingdom.

Immigration fees and legal fees - If you have paid fees or incurred legal costs for unsuccessful

- Immigration applications for British citizenship, certificate of entitlement to a right of abode, No Time Limit (NTL), Indefinite Leave to Remain (ILR), Indefinite Leave to Enter (ILE) and returning residents visa. (Complete Section 3.2)

Detention, deportation, removal and return - (Complete Section 3.3)

- Detention: If you were held in Immigration Detention in the United Kingdom
- Deportation: If you were deported to another country
- Removal: If you were removed from the United Kingdom by the Home Office - this includes those who have since returned to the United Kingdom and those who remain in another country and have been unable to return to the United Kingdom, or do not wish to return
- Return: If you voluntarily left the United Kingdom as a result of being unable to demonstrate your lawful right to stay

- Loss of access to employment - This means you lost employment, had an offer of employment withdrawn, or were unable to work in the United Kingdom. (Complete Section 3.4)

- Loss of access to Child Benefit, Child Tax Credit or Working Tax Credit - If any of your child related benefits were stopped or refused. (Complete Section 3.5)

- Loss of access to benefits - If any of your other benefits were stopped or refused. (Complete Section 3.6)

- Housing - If you have been unable to rent a home through the Local Authority (Council), Housing Association or privately. (Complete Section 3.7)

Health - complete section 3.8 if:

- you were unable to access free NHS healthcare
- you are seeking a refund for charges paid for NHS healthcare
- you are seeking a refund for private healthcare in the United Kingdom which you paid for because you were unable to access free NHS healthcare
- you are seeking a refund for private healthcare you received outside of the United Kingdom because you had been removed, deported or refused re-entry to the United Kingdom

- Education - If you were unable to access university as a home student and/or paid university tuition fees at the overseas student rate. (Complete Section 3.9)

Banking - Your application for banking (for example, account, mortgage, overdraft facility) was refused or your account was closed. This applies to any bank, Building Society or banking institution operating in the United Kingdom. (Complete Section 3.10)

Driving licence - If you were wrongly denied a driving licence or if your licence was cancelled. This applies to both provisional and full licences. (Complete Section 3.11)

Homelessness - If you were forced into homelessness. (Complete Section 3.12)

Impact on life - Complete this section if your being unable to demonstrate your lawful right to stay in the United Kingdom affected your ability to live a normal daily life. (Complete Section 3.13)

Discretionary - If you experienced a significant impact, loss or detriment of a financial nature as a direct consequence of being unable to establish your lawful right to stay in the United Kingdom, that is not covered by a category above and is not excluded from compensation under the scheme. (Complete Section 3.14)

Please tell us about any steps you have taken to try to reduce the impacts or losses you are claiming for in section 3.15.

Continue on plain paper if necessary but ensure you clearly indicate which section your information relates to. For example, "Continued from 3.10 Banking".

You will need to provide supporting evidence. Refer to the guidance for details.

3.2 Immigration and legal fees

Enter the details and type of unsuccessful immigration application you made including when you made the application. If you are also claiming for legal fees for the application provide a copy of relevant invoices or other details of the amount paid and details of the legal services provider you used.

3.3 Detention, deportation, removal and return

Set out the details of your claim and whether it relates to detention, deportation, removal or return. If you were detained tell us how long you were detained for. Explain why you think one of the reasons for your detention, deportation, removal or return was your inability to demonstrate your lawful right to stay in the United Kingdom. In all cases tell us when these events happened and provide details of locations of detention. Attach any documents or other evidence to support your claim.

3.4 Loss of access to employment

The compensation scheme calculates loss of earnings in two different ways: an actual earnings award and a general award. These are set out in detail in the accompanying guidance notes. You can tell us how you would like us to assess your claim. If you ask for it to be considered on the basis of an actual earnings award we will decide whether or not you have the necessary evidence to meet the conditions for a payment on that basis. If we decide you do not have sufficient evidence, we will consider whether or not you meet the conditions for a general award payment instead. If you have not ticked the actual earnings award box below your claim will only be considered against the criteria for a general award.

Tick here if you would like the claim to be considered on the basis of actual earnings.

Enter details of your claim and the evidence you are using to support it. Include the name of the employer, dates you were employed and the type of employment (permanent or temporary).

3.5 Loss of access to Child Benefit, Child Tax Credit or Working Tax Credit

Enter the details of your claim and the evidence you are using to support your claim. Include the name of the benefit(s), when you started receiving the benefit(s) and when you stopped receiving them or details of when you applied for these benefits and they were refused.

3.6 Loss of access to benefits

Enter the details of your claim and the evidence you are using to support your claim. Include the name of the benefit(s), when you started receiving the benefit(s) and when you stopped receiving them or details of when you applied for these benefits and they were refused.

3.7 Housing

Enter details of your claim and the evidence you are using to support your claim. Include where you lived, the dates you lived there and whether it was private or social/local authority housing or whether you were denied access to the housing list. Include details of the local authority and/or housing association if relevant.

3.8 Health

Enter the details of your claim and the evidence you are using to support your claim. Include the name of the health provider if known, the dates you attended and if you paid for private treatment, why you did so.

3.9 Education

Enter the details of your claim and the evidence you are using to support your claim. Include the name of the educational establishment(s), dates you attended or wanted to attend and if you were charged overseas tuition fees.

3.10 Banking

Enter the details of your claim and the evidence you are using to support your claim. Include the name of your bank(s), when you opened or tried to open your financial account(s) and when it was closed and the details of any losses as a result of this.

3.11 Driving licence

Enter the details of your claim and the evidence you are using to support your claim. Include when you had your licence cancelled including dates and if the licence was a full driving licence or a provisional driving licence.

3.12 Homelessness

Enter what you are claiming, the reasons for this and the evidence you are using to support your claim. Include the address of the property you were forced to leave, the dates you were homeless and where you stayed when you were homeless.

3.13 Impact on life

Provide details of the non-financial impact you experienced on your daily life for which you are claiming, the dates or times you were affected and set out or attach the evidence you are using to support your claim.

3.14 Discretionary

If there is anything else for which you have suffered financial loss due to not being able to demonstrate your lawful right to stay in the United Kingdom but which is not covered in any other category and is not excluded from compensation under the scheme, provide details below. Enter what you are claiming, the reasons for this, the dates you were affected and provide copies of all evidence you are using to support your claim.

3.15 In support of your claim for compensation in any category please provide details of action you have taken in the past to try and obtain evidence of your lawful right to stay in the United Kingdom. For example, you may have contacted the Home Office (including the Passport Office). Please provide details. If you did not take any action to resolve your status please set out the reasons.

Check the guidance to see which documents you should use to support your claim.

Section 4: Declaration

I confirm that, to the best of my knowledge and belief, the information given in this claim form is correct. I undertake to notify the Home Office if any of the information provided changes or is discovered to be inaccurate.

The Data Protection Act 2018 and the General Data Protection Regulation govern how we use personal data. For details of how we will use your personal information and who we may share it with see our Privacy Notice at www.gov.uk/windrush-compensation or request it from the Windrush Helpline on 0800 678 1925. This also explains your key rights under the Act, how you can access your personal information and how to complain if you have concerns. Refer to the declaration section of the guidance for further information.

Please tick which box applies to you and sign below.

I am the Primary Claimant.

I am making this claim on behalf of a Primary Claimant who is under the age of 18. I confirm that I have parental responsibility for them.

I am making this claim on behalf of a Primary Claimant who lacks capacity. I confirm that I am their representative.

Signature:

Date:

Print your name:

If you are not the Primary Claimant provide your contact details:

Send your completed claim form and other supporting documents to:

Scan and email:

WindrushCompensationScheme@homeoffice.gov.uk

United Kingdom Freepost:

Freepost WINDRUSH COMPENSATION SCHEME

This is a Freepost address so you do not need to put a stamp on the envelope

You must write exactly this address on the envelope, including uppercase letters, and nothing else. If the precise address is not used, or anything else is written on the envelope, it may not be received.

Overseas postal address:

Windrush Compensation Scheme, PO Box 3468, Sheffield, S3 8WA, United Kingdom

You do not need to pay postage if you are posting from the United Kingdom. You can withdraw your claim at any time by using the above contact details.

If you need help completing the claim form you can call the Windrush Helpline on 0800 678 1925. This line is free to call from within the United Kingdom.

For official use only:	
Date received	
Reference Number	
CA Number	