



HM Government

# Understanding your right to work in the UK: **EU, EEA and Swiss citizens**



## Introduction

Following the UK's withdrawal from the European Union, and the end of the transition period, freedom of movement ended at 11pm on 31 December 2020. The UK has introduced a points-based immigration system that applies to anyone who wants to come to live, study or work in the UK.<sup>1</sup>

Irish citizens can continue to freely enter, live and work in the UK. If you are an Irish citizen, you do not need permission to enter or remain in the UK, including a visa, any form of residence permit or employment permit.

If you start a job in the UK in the first half of 2021, it is important that you are able to evidence your right to work. Your employer may ask to see and take a copy of your passport or national identity card, as part of a Right to Work check. Arrangements are in place enabling EU citizens who were resident in the UK by 31 December 2020 to apply to secure their status under the EU Settlement Scheme. A new points-based immigration system has been introduced for people who subsequently move to the UK to live, work or study.

This guide will help you understand if you have the right to work in the UK and how to evidence that right in the future.



<sup>1</sup> For the purpose of this leaflet, EU, EEA and Swiss citizens are referred to as 'EU citizens'.

## If you arrived in the UK by 31 December 2020

You and your family need to apply to the EU Settlement Scheme to continue to live, work and study in the UK after 30 June 2021. You must have started living in the UK by 31 December 2020 to be eligible, unless you are joining a close family member who already holds status under the scheme or is eligible and will apply to the scheme before 30 June 2021. Irish citizens or those with indefinite leave to remain or enter do not need to apply, but can if they want to.



### EU Settlement Scheme

Applying to the scheme is free of charge. To apply, you need to complete a simple three-step online application form using a computer, tablet or mobile phone.

If your application is successful, you'll **get either settled or pre-settled status**. Which status you get depends on how long you've been living in the UK when you apply. Getting status under the scheme will enable you to:

- work in the UK
- continue to use the NHS for free, if you could prior to 31 December 2020
- enrol in education or study in the UK
- access public funds such as benefits and pensions, if you're eligible for them
- travel in and out of the UK

You can start work before you have made an application, but you must apply before the deadline of 30 June 2021. If you apply by 30 June 2021 but your application has not been decided, your employer will be able to contact the Home Office to confirm that you have made a valid application, following which you may start working.

**If you don't apply by the deadline, you can lose your existing rights in the UK including the right to live, work, rent and access free healthcare.**



## Proving your right to work

Until 30 June, you can continue to prove your right to work in the UK using your passport or national ID card.

If your application to the EU Settlement Scheme is successful you will be given online access to your immigration status, which you can use to prove your right to work in the UK. You can do this using the online **Right to Work service**. If you already have settled or pre-settled status, you can choose to use that status to prove your right to work now (instead of your passport or national identity card), but it will only become mandatory to evidence your EU Settlement Scheme status after the 30 June 2021.

For more information and how to apply to the EU Settlement Scheme, visit: [GOV.UK/eusettlementscheme](https://www.gov.uk/eusettlementscheme)



## If you arrived in the UK after 31 December 2020

You must have permission to live and work in the UK under the UK's points-based immigration system unless you are eligible to apply to the EU Settlement Scheme.

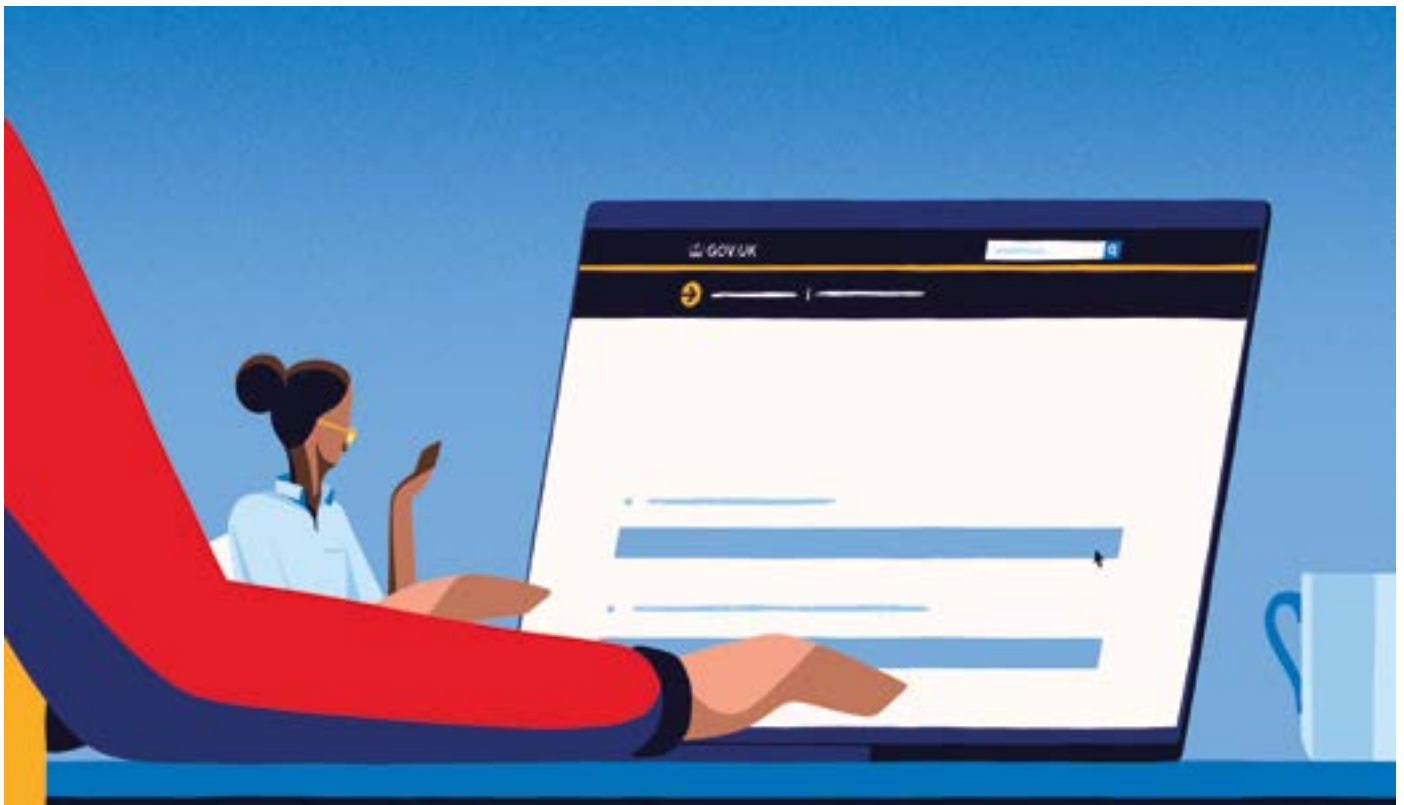


### Getting the right visa for you

In many cases this will mean applying for and being granted a Skilled Worker visa **before coming to the UK**. To be eligible for the Skilled Worker route:

- you must have a job offer from an employer who is able to sponsor your visa application
- the job offer must be at the appropriate skill and salary level
- you must be able to speak English to the required standard

There are other routes available for getting permission to work in the UK under the points-based system, such as an **Intra-Company Transfer visa**, a **family member visa** or the **Global Talent route**. More information is available on **GOV.UK**.







## Proving your right to work

If you have a visa under the points-based system and applied using the UK Immigration: ID Check app, you will have online access to your immigration status to **prove your right to work in the UK**. If you did not apply using the app, you will have a biometric residence permit that will allow you to use the online **Right to Work service** to prove your right to work in the UK.

**If you do not have a visa or status under the EU Settlement Scheme, or you entered the UK as a tourist, you will not have the right to work in the UK.**

It is important to ensure you have the correct permission to live and work in the UK. If you do not have the correct entitlements, controls exist to limit your access to work, accommodation and public services.

## Help you can get

You can get help and advice from a **solicitor** or an **immigration adviser**.

You can also contact **Citizens Advice**.

Read the **guide on representing yourself** if you're not going to have a legal representative.

