

EU citizen guide to claiming benefits in the UK

OCTOBER 2022

What benefits can I claim? This depends on your immigration status:

If you have **settled status**, you are allowed to claim benefits as long as you meet all the other qualifying conditions. Your family members can be included in your claims, but they may also need to have either settled or pre-settled status themselves.

If you have **pre-settled status**, you are allowed to claim benefits but may not be entitled to some of them because of extra residence rules.

The most common of these rules requires that you have a qualifying 'right to reside' under the old rules that used to apply before the UK left the EU (There are other ways that you might also have a right to reside, but they can be complicated.).

If you have come to the UK since **1 January 2021**, your visa is likely to say that you have 'no recourse to public funds' (NRPF). That means you **cannot claim** most benefits, even if you are allowed to work.

If you are from the EU, European Economic Area (EEA) or you are the family member of someone who is, you may have 'settled' or 'pre-settled' status under the EU Settlement Scheme (EUSS).

You should have a right to reside under these rules if you:

- are working, or
- were working and are now looking for work, or
- were working but had to stop because you are too ill to work now, or
- are a close family member of someone working or who was working as above, or
- were working and your children are in school.

If you do not have a right to reside, you can still claim these benefits

For any child who you are treated as responsible for, you can claim **child benefit**. You can get it even if working full-time.

If you are on a low income and under state pension age (currently 66), you can claim **universal credit**. You can get it if you are in or out of work, or unable to work. It includes amounts for your rent, your children and for childcare while working.

If you are on a low income and over state pension age (currently 66), you can claim **pension credit** and **housing benefit**. Pension credit includes amounts for any children you are responsible for. Housing benefit is paid to help with your rent.

If you have to pay council tax and are on a low income, you can claim **council tax reduction**. You can get council tax reduction even if working full-time.

You need a qualifying right to reside to get these benefits

If you (or your family member) have a long-term illness or disability, you may be entitled to different benefits depending on where you live in the UK and your age. In England, Wales and Northern Ireland you can claim **personal independence payment** (PIP) if you are working age or **disability living allowance** for a child. In Scotland, you can claim **adult disability payment** if you are working age or **child disability payment** for a child. If you are over state pension age, you can claim **attendance allowance** (AA). Note that these benefits normally require a period of past presence before you can be entitled.

If you are caring for someone getting one of the benefits for long-term illness or disability above, and you do not earn more than £132 per week, you may be entitled to **carers allowance**. Note that the same 'past presence' rule applies.

In an emergency, if you are without money, you may be able to get a small grant from the **local welfare assistance scheme** in your area. These grants are available from the local authority you live in, but any award is discretionary.

You do not need a qualifying right to reside to get these benefits but may need to meet other requirements

Depending on your circumstances, there are other benefits available (e.g. if you are recently bereaved, have had a baby, suffer an industrial injury, are on maternity or sick leave from work).

This diagram only illustrates a very basic overview of the rights. You should get further advice before making a claim.

How do I claim benefits?

You apply for many benefits either at your local Jobcentre or online: www.gov.uk/browse/benefits

In Scotland, you claim some benefits from Scottish Social Security: www.socialsecurity.gov.scot/benefits

In Northern Ireland, you claim benefits via NIDirect: www.nidirect.gov.uk/articles/how-claim-benefit

You claim some other benefits from your local council – check their website or visit one of their offices to find out more

What is NINO and how can I get one?

NINO – a national insurance number – allows the government to record the tax and national insurance contributions you make. You need one to work in the UK and get benefits. You can start work without a NINO but may be allocated a temporary reference number while an application is processed, and you may be taxed at a higher rate while you wait (but you will get this back). You can make a benefit claim without a NINO, but if you do not have one the benefit agency taking your claim should also help you apply for one, and you may not be paid any benefit until a NINO is allocated to you.

Apply for a NINO

Online: www.apply-national-insurance-number.service.gov.uk/apply/welcome

Phone: 0800 141 2079

Where do I find more information?

- For information about NINOs, benefits, tax, your immigration status, employment, housing or any other rights, go to the Citizens Advice Bureau: www.citizensadvice.org.uk (choose the area that you live in)
- The Low Incomes Tax Reform Group has also information about NINOs, employment, tax and benefits: www.litr.org.uk/tax-guides/migrants
- For organisations that may be able to help you locally, use Advice Local: www.advicelocal.uk
- JustRight Scotland has information about the rights of EU/EEA nationals following the UK leaving the EU: www.justrightscotland.org.uk/learn-more/legal-factsheets
- For information about housing rights, see Shelter: www.shelter.org.uk or the Chartered Institute of Housing's resource: www.housing-rights.info/02_0_New_arrivals.php
- Benefits calculator – Turn2Us: <https://benefits-calculator.turn2us.org.uk>
- Citizens Rights Project have multilingual factsheets on social security rights, applying for benefits or Universal Credit: www.citizensrightsproject.org

This factsheet was written by Henri Krishna (Child Poverty Action Group) and researchers from the *Health, social, economic & cultural impacts of Covid-19 on migrant essential workers in the UK* project funded by UKRI/ESRC Grant ES/V015877/1. Website: www.migrantessentialworkers.com