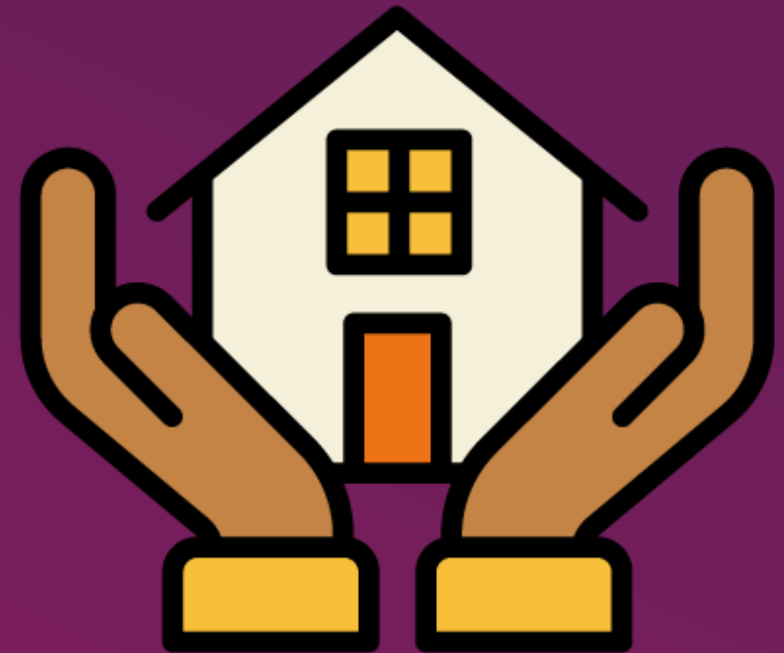


# Entitlement to social services' support for EEA nationals who are destitute or at risk of homelessness

Catherine Houlcroft  
Webinar summary



## Objectives

- To understand when an EEA national could be ineligible for benefits and homelessness assistance
- To identify when social services may be required to provide housing/ financial support to a person who is ineligible for benefits
- To effectively signpost a person who is ineligible for benefits to access advice and assistance to prevent homelessness or achieve a sustainable outcome

## Agenda

12.30

- Introduction
- Residence rights & benefit entitlement
- Support options for people who are ineligible for benefits
- Providing accommodation to families and adults with care needs
- Human rights assessments
- Preventing homelessness
- Q&A

2.00

- End of session

# Residence rights and benefit entitlement

## EEA residence rights – three key groups

### Granted leave to remain under EUSS

- Settled status (ILR)
- Pre-settled status (5 years LTR)

### People who qualify under EUSS who have not yet applied

- Resident in UK by 31 December 2020 – must apply by 30 June 2021
- Certain family members

### People who entered on/ after 1 January 2021

- Leave to enter granted to visit, study, work, join family when requirements met

## Groups at risk of homelessness/ destitution

- Pre-settled status – if unable to work/ evidence employment etc.
- Not yet applied/ received EUSS decision – if unable to show they were exercising a right to reside on 31 December 2020
- Fails to apply to EUSS by 30 June 2021 (if already in receipt of benefits unclear when these will stop)
- Leave to enter as a visitor/ other category subject to the NRPF condition

Supporting people who are  
ineligible for benefits and are  
destitute/ at risk of homelessness

## Role of local authorities

- EEA nationals may be ineligible for benefits and homelessness assistance in some instances
- Social care is not a 'public fund'
- Adult Social Care/ Children's Services can provide accommodation and financial support
- Provides essential 'safety-net' to prevent/ alleviate homelessness and destitution



# Local authority 'safety-net' duties to provide accommodation and financial support

## Adults with care needs

- The Care Act 2014
- Duty to meet care and support needs arising from/ related to a physical or mental impairment or illness

## Families

- Section 17 of the Children Act 1989
- Duty to safeguard and promote the welfare of children who are in need (destitute child = in need)

## Care leavers

- Leaving care provisions of the Children Act 1989
- Duties to support former looked after child until age 21/ 25

# Preventing homelessness and achieving sustainable outcomes

## Sustainable outcomes

### Change of immigration status & access to benefits

- Settled status
- Pre-settled status
  
- Welfare rights advice

### Self-sufficiency through employment

- EEA national with pre-settled status

### Return to country of origin

- Visa overstayer/ unlawfully present in UK – when no entitlement to apply to EUSS

## Further information

- NRPF Network: <https://www.nrpfnetwork.org.uk/>
- ADASS: <https://www.adass.org.uk/euss>
- CPAG case (Universal Credit and pre-settled status):  
<https://cpag.org.uk/welfare-rights/legal-test-cases/current-test-cases/eu-pre-settled-status>
- Organisations funded to provide EU Settlement Scheme advice:  
<https://www.gov.uk/government/publications/eu-settlement-scheme-community-support-for-vulnerable-citizens>

## NRPF Network services



- Rights and entitlements information
- Guidance for councils
- Training
- How to join/use NRPF Connect

Web: [www.nrpfnetwork.org.uk](http://www.nrpfnetwork.org.uk)

Contact: [nrpf@islington.gov.uk](mailto:nrpf@islington.gov.uk)