



Building Better Opportunities Essential update March 2021 - Eligibility of European Economic Area Nationals (EEA) for ESF Support from 1st January 2021

Eligibility of EEA Nationals for ESF support from the 1 January 2021

On the 31st December 2020 the transition period following the UK's departure from the European Union ended. European Economic Area and Swiss (EEA) Nationals who arrive in the UK from the 1 January 2021 are subject to new Immigration Rules, unless they come with valid settled status, pre-settled status or EUSS family permit.

Therefore, to be eligible for ESF support, EEA Nationals must meet one of the following conditions:

- hold settled status granted under the EU Settlement Scheme (EUSS)
- hold pre-settled status granted under the European Union Settlement Scheme (EUSS)
- hold EU Settlement Scheme Family Permit
- hold leave to remain with permission to work granted under the new Points Based Immigration System.

Please note, Irish Citizens are allowed to live and work in the UK as a result of [Common Travel Area](#) arrangements, and whilst they may apply for EUSS, it is not a requirement.

Grace period 1 January 2021 to 30 June 2021

EEA Nationals applying for EUSS must have done so by the 30 June 2021. During this six-month grace period, any new participants who are EEA Nationals starting on the project who were resident in the UK prior to 1 January 2021, can continue to evidence their right to live and work in the UK as they have always done. For example, using a current EEA passport, ID card or birth certificate with certified translation.



However, to remain on an ESF project after 30 June 2021, any participant that is an EEA National **must** be able to demonstrate that they have applied for or have been granted EUSS. (Or hold a visa with right to work granted under the new Points Based Immigration System.)

Therefore, it is important that **in advance of 30 June 2021** you must identify any active participants who are EEA Nationals and request evidence of their immigration status if they intend to continue with the project. For those yet to apply for EUSS, please encourage them to do so, this may include signposting to relevant organisations for [support](#).

After 30 June 2021

After 30 June, participants that are EEA Nationals must be able to demonstrate that they have the right to live and work in the UK under the new rules. If a participant has made an application to EUSS, but has yet to receive a response, they remain eligible for support until the outcome is known, as long as the application had been submitted before 30 June 2021. If EUSS is granted, they should provide evidence of this and can continue. However, if their application is rejected, they will no longer be able to participate. For participants who have a pending application, projects should regularly ask for updates. Participants that are EEA Nationals who have not made an application for EUSS before 30 June 2021 must be exited from the project.

Managing Authority Guidance

Further to [Action Note 057/20 released in December 2020, the Managing Authority has updated their ESF Data Evidence Requirements - Eligibility and Results](#) guidance. The updated guidance includes an additional section: [Annex 4 Eligibility of EEA Nationals for ESF support from 1 January 2021](#). Please ensure you familiarise yourself with this guidance. This contains details of using the [Home Office online right to work checking service](#), and the associated information that should be gathered to evidence eligibility.

Annex H

We are in the process of updating the Participant Entry Form (Annex H) to reflect the above. This will be released shortly as version 12 on the [Guide to Delivering European Funding](#) pages of our website. Please ensure you regularly visit page for updates.