

Settled Status simplified

but don't rely on automatic approval

While the UK Government recently announced broad “reforms to tighten the country’s immigration and nationality laws in its White Paper published on 12 May 2025, the legal protections for EU citizens and their family members have quietly become even more generous, with changes effective since 16 July 2025.

Appendix EU - the legislation forming the legal framework of the EU Settlement Scheme (EUSS) has long been considered one of the most generous parts of UK immigration law. Since Brexit, it has undergone several changes, each aimed at improving and expanding the rights of EU citizens and their families.

Despite already being one of the most flexible and inclusive immigration routes in the UK, Appendix EU continues to evolve, offering even greater benefits to those it protects.



Existing benefits of the EUSS:

- **Children under 21** are automatically considered dependent.
- **EEA citizens** may bring their spouses, unmarried partners, overage dependents (e.g. parents), and stepchildren to the UK.
- **Pre-Settled and Settled Status** are not lost unless there is a continuous absence from the UK of more than five years (or four years for Swiss nationals).
- **Settled Status holders** living outside the UK can preserve their status by making just one return to the UK during each five-year period.
- **Applications are free of charge** and typically processed much faster than most other UK immigration routes.
- **Spousal reunification rules** are more relaxed for marriages and relationships that began before Brexit.

Changes from 16 July 2025:

On 24 June 2025, the Home Office announced a significant change to how applicants can qualify for Settled Status, effective from 16 July 2025.

Previously, to qualify for Settled Status applicants needed to have lived continuously in the UK for five years, with allowed absences of up to six months in any 12-month period (or a single absence of up to 12 months for exceptional reasons such as serious illness, study, or work).

Under the new rules, applicants with Pre-Settled Status can now qualify for Settled Status if they have spent at least 30 months (2.5 years) in the UK during the most recent 60-month (5-year) period prior to applying.

This is a significant and generous change, particularly beneficial for:

- Applicants unaware of the strict residence requirements
- Individuals who experienced extended absences from the UK due to COVID-19 or personal circumstances.

However, it is important to note that this new provision does not apply to individuals who have already lost their Pre-Settled Status due to prolonged absences. Specifically, those who were absent from the UK for two continuous years and lost their status under the rules in place before 24 May 2024 will not benefit from this change.

Don't rely on automatic Settled Status

The Home Office has previously stated that Settled Status will be granted automatically to eligible individuals whose UK residency can be verified through HMRC records. However, this process is not always reliable, particularly for those without a regular UK employment history or have spent significant time outside the UK.

We have seen numerous cases where individuals expected to receive Settled Status automatically but were instead required to submit a manual application. Therefore, we strongly recommend submitting a formal application for Settled Status rather than waiting for it to be granted automatically.

How we can help

Our experienced immigration team regularly supports EU nationals and their families with tailored immigration advice and securing successful outcomes. If your circumstances are more complex, we can help you build a clear and compelling case, ensuring the Home Office has the documentation it needs to grant Settled Status.

Get in touch with us today to discuss how we can support you make the most of these latest developments.

Contact us



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