

# Settled vs Pre-Settled Status



	Pre-Settled	Settled
<b>What</b> is it?	UK immigration status called <b>Limited</b> Leave to Remain	UK immigration status called <b>Indefinite</b> Leave to Remain
<b>Who</b> is it for?	<p><b>EU, EEA, Swiss citizens and their family members</b> who:</p> <ul style="list-style-type: none"> <li>reside in the UK by 31 Dec 2020,</li> <li>have no serious criminal record, and:</li> </ul> <ul style="list-style-type: none"> <li>have lived in the UK for <b>less than five years</b>.</li> </ul>	<ul style="list-style-type: none"> <li>have lived in the UK for <b>at least five years</b>, during which time they spent less than 6 months abroad in any 12-month period (unless for compulsory military service; a single absence of 6-12 months may be allowed for an "important reason"). This is called "<b>continuous residence</b>."</li> </ul>
<b>How long</b> is it granted for?	<b>For five years</b> , but you will lose it if you leave the UK for a period of 2 consecutive years. In addition, your period of "continuous residence" resets to 0 if you spend over 6 months abroad in any 12-month period. This means you will <b>lose the ability to change your pre-settled status to settled</b> . It can also be revoked for subsequent criminal offending.	<b>Forever</b> , but you will lose it if you leave the UK for a period of 5 consecutive years (4 years for Swiss citizens). It can also be revoked for subsequent criminal offending.
<b>When</b> do I need to re-apply?	<b>You need to re-apply</b> to change your pre-settled status to settled before your pre-settled status expires. You will be able to do this as soon as you accrue 5 years of "continuous residence".	<b>Never!</b> <b>You do not need to re-apply.</b>
<b>What</b> are my employment and welfare rights?	You will enjoy the same rights to live, work, and healthcare as you do now.  Pre-settled status is not a "right to reside" for the purpose of access to welfare. This has been subject to legal challenge – please read <a href="#">this CPAG website</a> , and particularly the section " <b>What can a claimant in a similar position do?</b> " The Withdrawal Agreement also means that you may be able to show an alternative "right to reside" by being a worker for example.	You will enjoy <b>the same rights</b> to live, work, healthcare and welfare <b>as UK citizens</b> , as your settled status is evidence that you have a right to reside in the UK.
<b>Can</b> I apply for UK Citizenship?	<b>No</b> , you need to be settled in the UK before you can apply.	Not necessarily. The requirements for citizenship and settled status are different. Also, if you do apply, you can only do so after holding settled status for a year – unless you are married to a British citizen.
What status will my <b>child</b> get?	If you have pre-settled status and you <b>link</b> your child's application to yours, your child will get pre-settled status.	If you have settled status and you <b>link</b> your child's application to yours, your child will get settled status. If you have a baby (born in the UK) <b>after</b> you have been given settled status, your baby will be born a British citizen and does not need to apply for settled status.