

**SENT BY EMAIL ONLY**

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Dear Colleagues

Please see below, for your information, EU Exit guidance notes which have been provided by the Department of Health and which you and your employees may find useful:

### **Exit day and you**

As you are aware, the majority of UK voters opted to leave the European Union (EU) in the referendum on 23 June 2016 and the process for the UK's withdrawal from the EU is under way. The date set for leaving the EU is the 31 October 2019.

We appreciate that the decision to leave the EU may be a cause of concern for your employees and it will affect all of us in different ways. We also know that you may have questions about what happens next and if there is anything you and your employees may need to do especially if the UK leaves the EU without a deal.

We are writing to reassure you that if you are already working within the health and social care sector in Northern Ireland there will be no changes to your employees' employment rights and that if you also live here, there are no immediate changes to your rights as a result of the UK's decision to leave the EU with or without a deal. There may be things however that you need to do over the next year to confirm your rights for the future.

We are committed to provide support during this period. We will be monitoring the negotiations for the UK's exit from the EU and will provide updates on any relevant developments.

General information about EU Exit can be found on NIDirect at: <https://www.nidirect.gov.uk/campaigns/brexit> and on <https://www.gov.uk/brexit>

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## **Living and working in Northern Ireland - EU Settlement Scheme**

The EU Settlement Scheme is open to all eligible EEA citizens and their family members. If the UK leaves the EU without a deal you will have until 31 December 2020 to apply. The EU Settlement Scheme registration will ensure that you and your family's rights are protected in the UK after EU exit, and will guarantee your status and right to work.

Hopefully you are aware of the scheme and how to apply. But if not you can find out more information, including how to register, here:

<https://www.gov.uk/settled-status-eu-citizens-families>

When you apply to the EU Settlement Scheme you will be given settled status or pre-settled status depending upon how long you have been living in the UK.

- Settled status is given when you have been living in the UK for five years or more without interruption, or
- Pre-settled status if you have been living in the UK for less than five years.

If you are given pre-settled status you are able to continue to live and work and maintain your current rights in the UK for an additional 5 years. However to ratify your status in the UK beyond that you will have to apply to gain settled status. It will not happen automatically. This may influence your decision when to apply to the EU Settlement Scheme, but you do have until 31 December 2020 to apply.

## **Cross border working – Frontier Workers**

Someone who lives in Ireland and crosses the border to work in Northern Ireland and goes home either every day or weekly, is a cross border worker or, in the European term, a frontier worker. You can be a British, Irish or European citizen.

Health and social care in Northern Ireland has many staff that cross the border into Northern Ireland to work and we want to make sure you know that you can continue to do just that.

If you are a frontier worker before EU exit you will be able to continue working in Northern Ireland with the same rights as now after EU exit, and you will be able to move between jobs. You do not need to do anything now to protect your right to come to Northern Ireland to work.

Current advice is that if the UK leaves the EU without a deal EEA citizens living in Ireland will still be able to begin work as a frontier worker in Northern Ireland until at least 31 December 2020.

After 31 December 2020, EEA citizens will need to apply for a frontier worker permit to prove the right to enter the UK for work and to maintain associated rights. Details about how and when you can apply for a frontier worker permit will be set out in due course.

More information can be found here:

<https://www.gov.uk/government/publications/rights-and-status-of-frontier-workers-in-the-uk-after-brexit/right-to-work-in-the-uk-frontier-workers--2>

### **Irish Citizens**

Irish citizens have special status in UK law and are able to live and work in the UK without having to do anything. This status will continue irrespective of how the UK leaves the EU.

- Irish citizens who live in Northern Ireland do not need to apply to the EU settlement scheme.
- Irish citizens may work as a frontier worker before or after EU exit and do not need to apply for frontier worker status.

Find out more about the [rights of Irish citizens in the UK after Brexit](#).

### **EU, EEA and Swiss citizens coming to Northern Ireland to live and work after EU exit - European Temporary Leave to Remain**

The UK Government is proposing to end free movement, but this requires legislation and still has to be approved by Parliament.

European temporary leave to remain (Euro LTR) is an immigration status that will allow a European citizen to live and work in the UK for 36 months after it is granted.

More information can be found here:

<https://www.gov.uk/guidance/european-temporary-leave-to-remain-in-the-uk>

EU, EEA and Swiss citizens will be able to come to live and work in the UK after EU exit as they do now but will need to apply for Euro LTR before 31 December 2020.

After 31 December 2020 any EU, EEA and Swiss citizens will need to apply under [the UK's new skills-based immigration system](#) which is planned to begin in 2021.

### **Recognition of professional qualifications**

If you are currently registered to work within your profession in Northern Ireland before EU Exit you will be able to continue to do so uninterrupted.

Legislation has been put in place that means European qualifications will continue to be recognised by all professional regulators covering health and social care.

If you are moving to work in Northern Ireland after exit day and you are professionally qualified in the EU, you can continue to request to be registered after exit day even if the UK leaves without a deal. Further details are available from your relevant professional body.

### **Department preparations for no deal**

We are working within the Department of Health to ensure that we are prepared for a no deal exit to continuing to deliver health and social care. We are working with all our organisations within health and social care.

More information on the Department's preparations are available at:

<https://www.health-ni.gov.uk/department-health-ni-eu-exit-operational-readiness-guidance>

<https://www.nidirect.gov.uk/articles/eu-citizens-brexit-information>

Yours faithfully



**Dr Sloan Harper**  
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CC: Raymond Curran

