

Returning to the UK from abroad

This is a summary of generic information about what a British national returning to the UK may expect. As each case is different, details of specific social care issues, levels of medical needs, background info etc. may require additional specific advice / recommendations. Essentially, a returnee has NO automatic entitlement to any UK welfare support on their return – such support can rarely be guaranteed.

**Habitual Residence Test (‘HRT’)**

Having been out of the UK for more than (approximately) 3 months, a returnee is likely to be subject to this test by a Local Authority before becoming eligible to receive any welfare benefits / accommodation. Passing the HRT means proving that you intend to settle and make the UK your home again. There are no hard and fast criteria, and each individual will be assessed on their own circumstances.

The HRT test can take anywhere from a few days up to 6 months to pass, at which point the returnee will be deemed to have become ‘habitually resident’ in the area, and from this point, a Local Authority may begin to provide any assistance for which the person is eligible.

The HRT applies to both British and non-British people alike. British Citizenship does NOT exempt a person from the HRT, and neither does having paid taxes in the UK.

The only way a returnee can bypass a HRT is if they are formally deported, expelled or removed by compulsion of law from overseas and returns with evidence to show this, i.e. deportation documents, letter from Prisoners Abroad, stamp in passport, letter from Embassy.

**Access to UK Social Services**

A returnee may be eligible upon arrival to receive a statutory Social Services assessment of his / her social care needs from any single Local Authority of the returnee’s choice, i.e. the first one that they approach. However, UK Social Services have NO obligation to then provide any assistance following an assessment.

Also, UK Social Services do not have an obligation, or duty of care to get involved until the person is present within their local geographic boundaries. This makes it very difficult to secure any service(s) beforehand, or to make any definite plans. Furthermore, thresholds for services are currently high, unless evidence can be provided that someone is, “in substantial need, or at risk of becoming in critical need”, assistance cannot be guaranteed.

**Access to Health Care**

Any treatment and healthcare depends on the individual’s level of need. Should a returnee re-enter the UK with significant medical needs requiring urgent medical treatment, including mental health issues, they will need to present to the nearest Accident & Emergency (A&E) Department for a medical assessment. If arriving at London Heathrow Airport, the nearest Accident & Emergency is in Hillingdon Hospital. Please note that automatic access to the NHS for non-acute medical treatment is not guaranteed.
Until the returnee has become ‘habitually resident’ in the UK, the NHS will only offer free medical care for ‘urgent needs’, i.e. A&E only. Any treatment for pre-existing medical conditions may be charged for.

If a returnee intends to seek medical treatment upon return to UK, it is very useful that they have updated medical reports / assessments (in English), from their time spent overseas. They also need to ensure that they have sufficient medication for the journey, and for the interim.

**Access to Welfare Benefits**

There are a number of different welfare benefits in the UK. These are intended for people living in the UK on low income and with limited savings. Such people may qualify for income related benefits such as, Job Seeker’s Allowance, Income Support, Housing and Council Tax Benefits, Sickness and Disability Benefits, Pension Credit etc.

The type of benefit(s) someone applies for will depend on their individual circumstances and eligibility. As explained above in the HRT section, a person who has been out of the UK for an extended period and has now returned, wishing to claim benefits would be likely to be subject to the HRT rule by a local authority.

**Access to Accommodation**

Local Authorities have a duty to provide ‘housing advice’ to people who approach them as homeless. This often means providing a list of private landlords who may accept Housing Benefit, in the expectation that people will find a landlord and apply for Housing Benefit themselves.

For those applicants who are deemed to be ‘in priority need’ (this is a strict legal definition – for more information click here), limited stocks of accommodation may be provided by Local Authorities (Councils) or housing associations. In order to be eligible to access Local Authority housing, a returnee must pass the HRT. Even after passing the HRT, a returnee may not necessarily be guaranteed Local Authority housing immediately. This is due mainly to very heavy demand and acute shortages, but a returnee could be added to a waiting list.

Local Authorities have a responsibility to provide emergency accommodation to certain homeless people, but unless a returnee has a critical need, they likely to be deemed ineligible for emergency housing on arrival.

Please note that there may be inconsistency across UK Local Authorities and Primary Health Care Trusts, so there may be room for advocacy or negotiation especially as the issue of HRT is not laid down in statute.

**Fitness to fly**

Depending on an individual’s health and mobility, the airline may require a returnee to be in possession of a fitness to fly certificate from a medical practitioner. If there is significant risk / need, the person may also need to be escorted / accompanied on the flight. Airline cabin crew are strictly forbidden from assisting anyone with personal care (as they handle food) and anyone who flies must be able, either themselves or with their escort, to comply with emergency procedures and any directives given by the crew.

**Airport Support Agencies**

Heathrow Travel-Care, Gatwick Travel-Care and Manchester Airport Chaplaincy are airport-based agencies that offer advice or assistance to arriving returnees (and other passengers and airport users). They have limited resources and do not provide accommodation on arrival.

Heathrow Travel-Care is staffed by qualified social workers and is open Monday to Friday 09.30 – 17.00 (except Thursday, 11.00 – 1700).

Gatwick Travel Care is open Monday to Friday 09.00 – 17.00; Saturday / Sunday 09.00 – 16.00 . Staffed mainly by experienced volunteers.

The Chaplaincy at Manchester Airport is open Monday to Friday 08.00 – 17.00 but they provide an on call service outside those hours.staffed by multi-faith chaplains.

**Family / Friends/support networks**

With the returnee’s permission, a family member resident in the UK may be able to get the person registered with their local GP surgery in advance, and / or make enquiries with their Local Authority.  As mentioned above, Social Services do not generally have an obligation to get involved until the person is present in the UK. However, if a family member / friend advocates on the returnee’s behalf, this can sometimes achieve positive results.

Part of the housing department’s and HRT checks seek to establish whether someone has any UK local connection, this requirement can be partially satisfied by having relatives living in the UK / or if the ‘returnee’ has lived in any particular area of the UK in the recent past.

**Other Sources of Support**

It may be worth friends / families of returnees seeking and investigating alternative sources of support (with the returnee’s consent). Alternative avenues may include:  A particular religious affiliation? An ex-service connection? A trade connection? An internet search for such groups and others may be a worthwhile starting point. These additional options, if available, could reduce the risk of the person becoming destitute / homeless on arrival should they not meet the eligibility criteria for other service provision.