

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’)**

Anyone who has been living outside the UK for a period of 3 months or more and who decides to return to the UK will be subject to this test. Irrespective of which services an individual or family require assistance from, they are eligible for an assessment and should be assessed on their own merits. However, the Habitual Residency test is always applied and has to be passed prior to accessing services. This means that if a returnee is wishing to access public services, they will usually need to wait for a period of 3-4 months before being able to prove their intentions to remain in the UK. After this time, hopefully they will have provided enough evidence that they intend to settle and make the UK their home again. At this time, they should be deemed to have become ‘habitually resident’ in the area they have made an approach to. Only after this period may they have become eligible for UK statutory services such as The Department for Work and Pensions (Universal Credit and Benefits), Local Authority Housing teams, Social Services and Healthcare.

NB 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 is eligible upon arrival in the UK to receive a statutory Social Services assessment of his / her social care needs from any single Local Authority of the returnee’s choice. Ideally this should be a Local Authority where they have a local connection. However, UK Social Services have NO obligation to provide any assistance following an assessment. They are unable to provide an assessment until the person actually presents to them in person. This makes it very difficult to secure services before arriving or to make any definite plans. Furthermore, even when an assessment does take place, thresholds for services are significantly high due to the demand for these services and limited resources available. This means that many cases where someone is in extreme need, or at risk of becoming critical in 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 requiring urgent medical treatment, including mental health difficulties, they will need to present to the nearest Accident & Emergency (A&E) Department for a medical/mental health assessment. If arriving at London Heathrow Airport, the nearest Accident & Emergency is in Hillingdon Hospital. It is important to understand that access to the NHS for anything other than acute/emergency medical treatment is only accessible via referral from a GP that you are registered with. In order to register with a GP, you need a residential address in the UK and in turn, this would enable access to specialist consultations and treatment for existing, ongoing conditions.

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 time it may take to be registered with a GP.

**Access to Welfare Benefits**

There are a number of different welfare benefits in the UK and claims can be made for the old system of benefits or the new Universal Credit system. This is dependent on which area the individual is basing themselves and 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 benefits someone may apply for will depend on their individual circumstances and eligibility. Once a person is approved to receive such financial support, they can expect a wait of 4-6 weeks to receive their initial payment. As explained previously, this is dependent on passing the Habitual Residency test with the Department of Work and Pensions.

**Access to Accommodation**

Local Authority Housing options teams have a duty to assess individuals and provide advice to people who approach them as homeless or at risk of homelessness. This assessment broadly looks at a person’s individual circumstances and weighs up factors such as whether:

1. They pass the habitual residency test
2. They have a local connection with the area they are making the approach in
3. Their needs meet the very strict priority criteria and extreme enough to be seen to be so vulnerable as to be in priority need

Housing stock available to local authorities is generally very limited and so in many cases an assessment leads to being put on long waiting lists or being denied emergency council housing.

It may be possible to claim Housing Benefit within the Benefits/Universal Credit system. It is important to note however, that this particular element of financial welfare can only be claimed once an individual has become eligible for Benefits or Universal credit and met the Habitual residency test.

**Fitness to fly**

An individual’s health and mobility may dictate that an airline will require a returnee to be in possession of a fitness to fly certificate from a medical practitioner before being allowed to fly. If there is significant risk that an individual will be unable to manage their own needs or to comply with emergency procedures and any directives given by the crew during a flight, it may be decided that they need to be escorted on the flight. Airline cabin crew are not trained to assist anyone with personal care needs and are unable to provide the assistance they may need.

**Airport Support Agencies**

Heathrow Travel-Care, Gatwick Travel-Care, Glasgow Airport Chaplaincy and Manchester Airport Chaplaincy are airport-based agencies that offer guidance and support to those that are in crisis and stranded at the airport. They have limited resources and cannot financial support or accommodation.

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

Gatwick Travel Care is open seven days a week 09.00 – 16.00 and is staffed mainly by experienced volunteers.

The Chaplaincies at Manchester and Glasgow Airports are open Monday to Friday 08.00 – 17.00 but they provide an on-call service outside those hours. Both are 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 to make enquiries with their Local Authority for specific guidance.  As mentioned previously, Social Services cannot assess an individual until they have returned to the UK and presents in person. If a family member or friend is able to advocate on the returnee’s behalf, this can sometimes help raise awareness of what to expect and enable a more effective plan of action to be taken by that individual or family.

An important aspect of Local Authority checks, seek to establish whether someone has any current or recent UK local connection. This involves looking at factors such as how long a person has last lived in an area, how long they lived there during the last 5 years as well as other connections such as having relatives currently living in the UK.

**Other Sources of Support**

It can be helpful to the individual or family returning if they and/or their friends and families can seek out and investigate alternative sources of support. Alternative avenues may include a particular religious affiliation, being in the services past or present or a trade connection amongst others. Sometimes unexplored options like this might provide valuable support otherwise unavailable via Local Authorities and reduce the risk of the person becoming destitute or homeless