From Shelter website[[1]](#footnote-1): relating to covid-19 emergency homelessness accommodation

**Ineligible EEA nationals**

The following categories of EEA nationals exercising free movement rights in the UK are [ineligible](https://england.shelter.org.uk/legal/homelessness_applications/eligibility_eeaeu_nationals/Persons_ineligible_for_assistance) for benefits and homelessness assistance:[[2]](#footnote-2)

* jobseekers, within the [meaning of EU law](https://england.shelter.org.uk/legal/homelessness_applications/eligibility_eeaeu_nationals/Persons_ineligible_for_assistance#2)
* those not economically active and exercising the three-month initial right to reside

On 30 June 2020, the Ministry of Housing, Communities and Local Government published a [ministerial letter](https://england.shelter.org.uk/legal/housing_options/covid-19_emergency_measures/homelessness/essential_links/gov.uk_-_mhclg_covid-19_response_funding_support_for_those_in_emergency_accommodation_and_eea_rough_sleepers_-_ministerial_letter_to_local_authorities_24_june_2020) which confirms that from 24 June 2020 EEA nationals in the two categories above who are either sleeping rough or have been temporarily placed in emergency accommodation for the purposes of self-isolation can access limited level of state support under temporary powers given to local authorities.[[3]](#footnote-3)

The ministerial letter clarifies that:

* non-statutory emergency accommodation and floating support will be available for up to 12 weeks *(so counting from 24 June, 12 weeks ends 16th September 2020, SB)*
* EEA nationals assisted under these measures will remain ineligible for benefits and statutory services, and will be supported with:
	+ finding employment and regularising their stay in the country, or
	+ returning to their home country and connecting with local support services, where appropriate
* in order to qualify for support under the temporary measures, the individual must be willing to engage with:
	+ navigators/support workers
	+ employment support/training and job searching
* support will be withdrawn from those EEA nationals who are assessed as not meeting the necessary criteria, unless the individual:
	+ requires shielding or treatment from COVID-19
	+ is seeking to reconnect to their home country.

These powers will continue until 31 December 2020. After this date new domestic immigration rules will be in place.

Note that an EEA national who was previously economically active and is looking for another job might have retained their worker/self-employed status and therefore remain eligible for public funds.  For more information about EEA nationals’ eligibility for benefits, social housing and homelessness assistance.

1. From <https://england.shelter.org.uk/legal/housing_options/covid-19_emergency_measures/homelessness> [↑](#footnote-ref-1)
2. Derogation under Art 24(2) EU Directive 2004/38/EC. [↑](#footnote-ref-2)
3. COVID-19 Response: Funding support for those in emergency accommodation and EEA Rough Sleepers, MHCLG 24 June 2020. The letter confirms that the government has temporarily suspended the derogation under Article 24(2) of the EU Directive 2004/38/EC. [↑](#footnote-ref-3)