



Moving back to the United Kingdom (July 2008)

Ref: IS/2

This information sheet is aimed at people over 60 and refers to the situation in England. Those living in Scotland, Wales or Northern Ireland may wish to contact:

The Scottish Helpline for Older People – Age Concern Scotland,
tel: 0845 125 9732 (local call rates) Monday to Friday, 10am – 4pm;
website: www.ageconcernscotland.org.uk;

Age Concern Cymru, Units 13 & 14 Neptune Court, Vanguard Way,
Cardiff CF24 5PJ, tel: 029 2043 1555 (national call rate); website:
www.accymru.org.uk;

Age Concern Northern Ireland, 3 Lower Crescent, Belfast BT7 1NR,
tel: 028 9032 5055 (national call rate) Monday to Friday, 10am – 12pm
and 2pm - 4pm; website: www.ageconcernni.org.

This paper will be useful to you if you have lived abroad and are considering returning to the UK as a permanent resident. It does not give any information about immigration status or look at the position of asylum seekers. This is a specialist area - for enquiries relating to immigration and nationality you may wish to contact the Immigration Advisory Service or the Joint Council for the Welfare of Immigrants (JCWI) – see contacts at the end of this sheet.

Is a return to the UK right for you?

Before returning to the UK consider why you want to return and whether your expectations will be met. If you have been absent for some time there may have been major changes in society and culture that you are not prepared for. If possible you might want to consider spending some time in the UK before committing to moving here. A return to the UK should be planned and prepared for just as thoroughly as leaving the UK.

Finance

Check:

- Will you still get the income you receive at present when you return to the UK?
- Are you entitled to benefits if you return to the UK?
- How do prices and costs compare between countries?
- How will exchange rates and inflation affect your income?
- Can you transfer income and assets to the UK?
- Will your insurance policies remain valid or will you need new ones? (for example, private medical insurance, life insurance)

A visit to the UK or friends and relatives living in the UK may be able to provide you with information, for example the price of fuel, food, transport and housing.

Returning to the UK can affect your tax liabilities. If you are or will be resident in the UK for tax purposes you will be liable for tax on any UK or overseas income. It is also important to find out whether you will still be liable for tax in the country you have left.

For further information you can contact the Inland Revenue's Residency department (see the end of this sheet for details).

State Pensions

The UK State Retirement Pension is based on National Insurance contributions. If you have paid contributions in more than one country you may get separate pensions from the different countries.

Sometimes contributions made in a European Union country or a country with which the UK has a reciprocal agreement may help someone get a UK pension. The UK pension is payable anywhere in the world but only people living in certain countries receive the annual pension increases. If you have not been getting the annual increases, your pension will be uprated to the current rate if you return to the UK. Contact the Department for Work and Pensions for further information (see the end of this sheet for details).

Benefits

Older people living in the UK with a low income and limited savings may qualify for income-related financial assistance through benefits such as Pension Credit, Housing Benefit or Council Tax Benefit.

Pension Credit can help with weekly income. You will need to apply for this through the Department for Work and Pensions (see contact details at end of this sheet). Criteria apply for these benefits, for example, you usually need to be eligible for or receiving the State Retirement Pension.

Housing Benefit provides help towards rent, and Council Tax Benefit can reduce Council Tax payments. For Housing Benefit and Council Tax Benefit, you apply to the local authority (council).

In order to access these benefits if you have been absent from the UK for more than two years you may have to pass the Habitual Residence Test, which is discussed later in this information sheet.

There are a number of UK disability benefits. Some are based on someone's National Insurance contributions while others cannot start to be paid until someone has been living in the UK for a certain length of time. More details about income-related and disability benefits are given in some of the factsheets listed at the end of this paper. Contact the Department for Work and Pensions or visit the Directgov website for further information.

Health – doctors, dentists and hospital treatment

The NHS can be accessed by anybody who is ordinarily resident in the UK, this means that you must be present and settled in the UK. Practitioners may therefore ask for some evidence that you are settled in the UK before providing non-emergency treatment; the evidence requested could be up to six months of utility bills in your name. Emergency treatment will be provided without having to provide proof of ordinary residence.

Whether or not you already have a medical condition, find out what services will be available to you – not just for emergency treatment, but for staying healthy (such as cancer screening, dentistry and spectacles). You will need to find a doctor or dentist to register with. Your nearest library or local authority (council) office, or a Citizens Advice Bureau, will be able to help you find out where to register. There is not usually a wide choice, and some surgeries already have full lists. Factsheet 44 *NHS services* explains how to register, and explains the range of services which are available through family doctors.

The NHS card and finding a doctor

When you register with a doctor, you will be asked for your NHS medical card. This has a number to identify you, and details of your name, address and date of birth. If you have previously lived in the UK you will already have an NHS number – if you cannot remember it or find the card, contact NHS Direct (see below). If you have not had one previously, once you have lived in the UK for more than 12 months, you are entitled to receive an NHS card when you register with a doctor. The receptionist will give you a form to fill in (GMS1). After you have completed and returned it, your medical card will be posted to your home address.

Even if you are not immediately entitled to an NHS card, you can still receive free medical treatment in an emergency.

Finding a dentist

There is a shortage of National Health Service dentists and you may have difficulty finding one quickly. If you cannot find a local dentist, contact NHS Direct on 0845 46 47 (local rate call). In the UK, dentists may have NHS patients and private patients. Make sure your dentist registers you as an NHS patient, unless you want to be a private patient and pay for all of your dental treatment.

As an NHS patient, you will have to pay a small fee for a dental check-up (about £20.00). If you are entitled to reduced cost or free NHS prescriptions, you may also be entitled to free dental treatment. Check with your dentist when you see them. If you need a lot of dental treatment, you might have to pay some of the cost, up to a maximum amount (the NHS pays for the outstanding amount).

Care and help at home

In the same way as healthcare, in order to receive social care you must be ordinarily resident in the UK. If you are returning to the UK in immediate need of care it is important to understand that a local authority only has a duty to assess you once you present in person and they may not have any duty of care following this assessment. This means that it is often very difficult to arrange care in advance of a return as a local authority will usually want to assess you in person. In addition unless you can demonstrate a connection to an area or are in critical and substantial need a local authority may state they have no duty to provide care for you, making it very difficult to initially access social care. This is likely to be a particular problem if you are in need of residential care.

Age Concern's Factsheet 6 *Finding help at home* gives general information about services which may be available for people in their own homes. These may be obtained privately or may be provided by local authority Social Services Departments. The type of help available, and how much is charged for it, may vary considerably between local authorities. Details of your rights to social services and how to go about obtaining them are contained in Factsheet 41 *Local authority assessments for community care services*. Details about the national framework for charges for care in your own home are contained in Factsheet 46 *Paying for help at home and local authority charges*.

If you need residential care Social Services will assess you and decide whether they think you need a care home or whether there are other alternatives. These might include help at home or some form of sheltered housing. If you need a care home there are national rules which set out whether you must pay for it yourself or whether the local authority should pay some or all of the cost. Details of these rules are in Factsheet 10 *Local authority charging procedures for care homes*. If a qualified (registered) nurse needs to be involved in providing your care, the NHS will pay for the time spent by the nurse. In a few cases, if you have very high needs – perhaps for constant or specialised nursing care

– the NHS might fund the entire cost of your place. Further information about NHS responsibilities for continuing health care is available in Age Concern's Factsheet 20 *NHS continuing healthcare, NHS-funded nursing care and intermediate care*.

Housing

Rented accommodation

This may be provided by local authorities (councils), housing associations, or private landlords. In order to access local authority housing you must pass the Habitual Residence Test (HRT) (which is discussed later). While Housing Associations do not require you to pass the HRT they will require evidence that you can pay for housing and if you are denied access to Housing and Council Tax Benefits until passing HRT and do not have sufficient other income this may cause a problem. Even after passing HRT you will not be guaranteed local authority housing immediately because of heavy demand and acute shortages but you will be added to any waiting lists. Local authorities have a responsibility to provide emergency accommodation to certain homeless people, but unless you have a critical need i.e. you are suffering from a physical or mental disability you would not be granted emergency housing.

The availability, standard and price of privately rented accommodation varies widely. Seek independent advice from an agency such as Elderly Accommodation Counsel (EAC), housing advice centre or Citizen's Advice Bureau (CAB) before making a commitment. See below for Age Concern factsheets on rented housing.

If you are considering buying a property, contact local estate agencies to find out about prices as they vary tremendously between different areas.

Furniture

If you need furniture, you may be able to apply for a Social Fund grant – see Age Concern's Factsheet 49 *Help from the Social Fund*. There are also furniture exchange schemes in many areas, where people give away furniture that is in good condition and it is given to people who meet the criteria of the scheme. Usually this does not apply to electrical goods, for safety reasons.

The Habitual Residence Test

If you have been absent from the UK for more than two years and are applying for local authority housing or income-related benefits (Income Support, Income-based Job Seekers Allowance, Pension Credit, Housing Benefit, Council Tax Benefit) you may be subject to HRT. Passing HRT means proving that you are making a home in the UK. The onus is on decision makers to establish that you are not habitually resident but there are no hard and fast criteria for making this judgement and each individual will be assessed on their own circumstances, broadly speaking a decision maker will look at the following factors:

- bringing possessions
- establishing residence before arriving
- having a right of abode in the UK
- bringing or seeking to bring family
- ties with the UK

If you do not pass HRT you will be classed as a person from abroad for the purpose of housing and income-related benefits and will not be able to access these. It can take anything from a few days up to 6 months to pass HRT, however if it takes over 3 months decision-makers would have to give cogent reasons as to why you are required to wait this long.

If you are in need of benefits and housing immediately upon arrival in the UK it is advisable to consider how you would cope if you did not pass HRT. There are certain categories of people who are exempt from HRT and you may want to contact the Citizens Advice Bureau for further information.

Useful contacts

Citizens Advice Bureau Myddleton House, 115-123 Pentonville Road, London N1 9LZ, tel: 020 7833 2181, website: www.adviceguide.org.uk – There are Citizens Advice Bureaux around the country who can give free advice on a range of issues, such as benefits and employment.

Counsel and Care, website: www.counselandcare.org.uk. Factsheet '*Moving to England or Moving Abroad: what about benefits?*' Advice line: 0845 300 7585.

Directgov, the government's website for the public, website: www.direct.gov.uk/BritonsLivingAbroad/ReturningtotheUK

Department for Work and Pensions, Website: www.dwp.gov.uk gives information on extra rules about benefits for people coming from abroad.

The Pension Service, Tyneview Park, Whitley Road, Benton, Newcastle upon Tyne, NE98 1BA. Tel 0191 218 7777; website www.pensionservice.gov.uk gives information about the range of benefits available.

Elderly Accommodation Counsel, 3rd Floor, 89 Albert Embankment, London SE1 7TP. Tel: 020 7820 1343; website: www.housingcare.org.

Immigration Advisory Service – has advice centres around the UK, website www.iasuk.org.

Inland Revenue, Residency (Tax matters for those not-resident in the UK) tel from overseas: +44 151 210 2222, or from the UK tel: 0845 070 0040. Website: www.hmrc.gov.uk/cnr/ Information about tax and National Insurance contributions.

Joint Council for the Welfare of Immigrants (JCWI), 115 Old Street, London, EC1V 9RT. Tel: 020 7251 8708; website: www.jcwi.org.uk.

Age Concern Factsheets

A list of relevant factsheets is outlined below. Free copies (up to a maximum of 5) can be ordered by writing to Age Concern Information Line, Linhay House, Ashburton, Devon TQ13 7UP or by telephoning 0800 00 99 66 (+ 44 990 00 966 if ordering from abroad). These are also available in the 'Information and advice' section of our website at www.ageconcern.org.uk .

Factsheet 2	<i>Buying retirement housing</i>
Factsheet 6	<i>Finding help at home</i>
Factsheet 8	<i>Looking for rented housing</i>
Factsheet 10	<i>Local authority charging procedures for care homes</i>
Factsheet 17	<i>Housing Benefit and Council Tax Benefit</i>
Factsheet 18	<i>A brief guide to money benefits</i>
Factsheet 19	<i>The State Pension</i>
Factsheet 20	<i>NHS continuing care, NHS-funded nursing care and intermediate care</i>
Factsheet 21	<i>The Council Tax</i>

Factsheet 30	<i>Leisure and learning</i>
Factsheet 34	<i>Attendance Allowance and Disability Living Allowance</i>
Factsheet 41	<i>Local authority assessment for community care services</i>
Factsheet 44	<i>NHS services</i>
Factsheet 46	<i>Paying for care and support at home</i>
Factsheet 48	<i>Pension Credit</i>
Factsheet 49	<i>Help from the Social Fund</i>

If you would like

- to receive this information in large print

phone 0800 00 99 66 (free call) or write to Age Concern FREEPOST (SWB 30375), Ashburton, Devon TQ13 7ZZ.

Find out more about Age Concern England online at www.ageconcern.org.uk

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