

Part of  
**What to do when someone dies: step by step**  
(/when-someone-dies)

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# Indefinite leave to remain if your partner dies



## 1. Overview and fees

You may be eligible to apply for settlement (indefinite leave to remain in the UK) if your partner has died. Your partner must have either:

- been a British citizen
- had indefinite leave to remain in the UK
- been from the EU, Switzerland, Norway, Iceland or Liechtenstein and had pre-settled status

Indefinite leave to remain is how you settle in the UK. It's also called 'settlement'. It gives you the right to live, work and study here for as long as you like, and apply for benefits if you're eligible. You can use it to apply for British citizenship.

Your permission to be in the UK must have been based on being their partner as part of a [family visa \(/uk-family-visa/partner-spouse\)](#). A 'partner' is one of the following:

- your spouse (husband or wife)
- your civil partner
- someone you were living with in a relationship that's like a marriage or civil partnership

## When to apply

You can apply any time after your partner's death. You do not have to wait until your current visa expires.

You must be in the UK when you apply.

## Fees

The application fee is £3,029.

You also need to have your biometric information (fingerprints and a photo) taken - there's no fee for this.

If family members are applying for settlement at the same time as you, you'll need to pay the application fee for each of them. They'll also need to have their biometric information taken.

### If you cannot pay the fee

You and your family members do not have to pay the fee if you can each provide evidence of one of the following:

- you do not have a place to live and cannot afford one
- you have a place to live but cannot afford essential living costs like food or heating
- you have a very low income and paying the fee would harm your child's wellbeing

Evidence can include bank statements, payslips and utility bills.

You may be able to use the same evidence for multiple applicants if you're applying at the same time.



## If your application is approved

You can do the following:

- work
- run a business
- study
- use public services, such as healthcare and schools
- apply for public funds (benefits) and pensions
- apply for [British citizenship \(/apply-citizenship-indefinite-leave-to-remain\)](/apply-citizenship-indefinite-leave-to-remain), usually after a minimum of 12 months



## If you stay outside of the UK for more than 2 years

You can lose your indefinite leave to remain if you stay outside the UK for more than 2 years at a time. You may need to apply before you can [return to the UK \(/returning-resident-visa\)](/returning-resident-visa).

## 2. Eligibility

Your permission to be in the UK must be based on your relationship.

Before your partner died, you must have got a [family visa as their partner \(/uk-family-visa/partner-spouse\)](/uk-family-visa/partner-spouse) (but not as their fiancé, fiancée or proposed civil partner).

When your partner died, you must have:

- been living together in the UK
- intended to live together permanently in the UK

Your partner must not have been living permanently in any another country.

You do not need to take the Life in the UK Test or prove your English language skills.

If you're not eligible because your partner has died, there are [other ways to apply for indefinite leave to remain \(/indefinite-leave-to-remain\)](#).

### 3. Documents you must provide

You must provide:

- a current passport or other valid travel identification
- any previous passports you've had while living in the UK
- your partner's death certificate
- proof of your relationship, for example your certificate of marriage or civil partnership
- proof that you and your partner were living together

You must also provide either:

- your biometric residence permit (BRP) if you have one - this can be expired
- online proof of your immigration status if you have an eVisa - you'll need to [get a share code \(/view-prove-immigration-status\)](#)

### Proof that you were living together

You need documents to show that you lived with your partner until they died, starting from when you got permission to be in the UK as their partner.

Provide 2 official documents addressed to both of you, or each of you individually, at the same address.

Include different types of documents, for example:



- gas, water or electricity bills
- telephone bills
- Council Tax bills
- bank statements and letters
- letters from a government department
- letters about your TV Licence
- tenancy agreements
- mortgage agreement or statements
- letters from your GP, a hospital or health service



You do not need to take the Life in the UK Test or prove your English language skills.

## 4. Applying for your children

Your children may be eligible to get settlement (indefinite leave to remain in the UK) at the same time as you.

You can include your children as 'dependants' on your application form if all the following are true:

- they have permission to be in the UK based on being your partner's dependant
- they were under 18 when this permission was given - it does not matter if they've turned 18 since
- they're going to live with you in the UK
- they'll have somewhere to live and be financially supported [without using public funds](/government/publications/public-funds--2)
- they're not married or in a civil partnership

If your children do not meet these conditions, they may still be able to apply separately. [Find out if they can apply to settle in the UK \(/settle-in-the-uk\)](/settle-in-the-uk).

Your child's application can be refused, for example if they've broken UK immigration law. Read the guidance on [why applications can be refused \(/government/publications/general-grounds-for-refusal-about-this-guidance\)](#).

## Documents you must provide for your children

For each child you include on your application form, you must provide:

- a current passport or other valid travel identification
- a birth certificate if they were born in the UK
- their biometric residence permit, if they have one
- proof they live permanently with you, for example letters from your child's school or doctor

## 5. How to apply

You must [apply online \(https://visas-immigration.service.gov.uk/product/set-o\)](https://visas-immigration.service.gov.uk/product/set-o). You need to be in the UK when you apply.

Once you've started your application, you can save your form and complete it later.

## Providing biometric information and supporting documents

When you apply, you'll be asked to make an appointment at a [UK Visa and Citizenship Application Services \(UKVCAS\) \(/ukvcas\)](#) service point to provide your biometric information (your fingerprints and a photo).

You'll also need to submit your supporting documents. You can:

- upload them into the online service
- have them scanned at your UKVCAS appointment



You must not travel outside of the UK, Ireland, the Channel Islands or the Isle of Man until you get a decision. Your application will be withdrawn if you do.

Any children aged 6 or over must provide biometric information if you're applying for them on your form.

## Getting a decision

You'll usually get a decision within 6 months.

You'll be contacted if your application is complex and will take longer, for example:

- if your supporting documents need to be verified
- if you need to attend an interview
- because of your personal circumstances, for example if you have a criminal conviction



## Get help to apply online

You can [get help with completing the online form \(/assisted-digital-help-online-applications\)](/assisted-digital-help-online-applications) if you:

- do not feel confident using a computer or mobile device
- do not have internet access

You can only use this service if you're applying in the UK.

You cannot get immigration advice through this service.



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