

## **Asylum Support Briefing**

### **1. The current provisions for asylum seekers:**

No person who has sought asylum in the UK need be destitute whilst awaiting a decision on their claim. Asylum seekers who would otherwise be destitute can obtain support under section 95 of the Immigration and Asylum Act 1999 ("the 1999 Act") to avoid destitution from the time they arrive in the UK, until their claim is fully determined and they have exhausted their appeal rights. However, former asylum seekers that have a dependant in the UK who was under 18 years of age when their asylum claim became fully determined (or was under 18 within 21 days of that date) remain eligible for support under section 95 until the dependant reaches 18. Support is provided in the form of accommodation and subsistence, accommodation only or subsistence only.

While eligibility for support under section 95 is being considered, destitute asylum seekers can be accommodated in Initial Accommodation ("IA") under section 98 of the 1999 Act. IA is provided in the form of hostel type accommodation and is mainly full board with regular meals and essential toiletries provided as required.

Asylum seekers granted support under section 95 are provided with dispersal accommodation. The Home Office ensures suitable accommodation is allocated according to the specific needs of the asylum seeker and their dependants. Dispersal accommodation is primarily self-catering High Multiple Occupancy (HMO) accommodation, which consists of a mix of bed-sits, self-contained accommodation and maisonettes to house singles, couples and single parents with one child. There is also family accommodation in the form of larger maisonettes and houses. Supported persons are provided with specific facilities as standard, e.g. cooking facilities, kitchen utensils, bathing facilities, basic furniture and refuse disposal. If the household contains young children, additional specific equipment is provided as required, e.g. stair gate, cot and sterilising equipment.

Both IA and dispersal accommodation are provided through specific third party accommodation providers pursuant to contractual arrangements entered into for this purpose ('COMPASS Contracts'). The COMPASS contracts ensure that facilities provided to asylum seekers comply with specified standards; related services are provided by the accommodation providers; and facilities and services provided are cost-effective for Home Office and the UK taxpayer.

Asylum seekers who cannot meet their essential living needs are provided with subsistence support which is used to purchase food and essential toiletries. Subsistence support is delivered via the Application Registration Card (ARC), which supported persons use to collect their cash support from their local Post Office.

Support is provided on a weekly basis at different levels to singles, couples and families on a sliding scale as outlined below:

| <b>LEVELS OF CASH SUPPORT FROM 6 APRIL 2015</b>  |          |
|--|----------|
|  | <b>£</b> |
| <b>SINGLE PERSON</b>   |          |
| Aged 18 or over (excluding lone parent)  | 36.95    |
| Aged 25 years or over (excluding lone parent), where the decision to provide cash support was made before 5 October 2009 and the person reached age 25 prior to that date. | 42.62    |
| <b>QUALIFYING COUPLES</b>  |          |
| Both 18 years or over  | 72.52    |
| <b>LONE PARENT AGE 18 OR OVER</b>  |          |
| Age 18 or over   | 43.94    |
| <b>PERSONAL ALLOWANCE FOR DEPENDENT CHILDREN</b>   |          |
| Person aged under 16   | 52.96    |
| Person aged 16 but under 18 (except where the person is a member of a Qualifying Couple)   | 39.80    |

In addition to the weekly subsistence rates set out above a single one-off payment of £300 may be provided to asylum seekers, supported under section 95 or section 98 to help with the costs arising from the birth of a new baby. This is known as a maternity payment.

The Asylum Support (Amendment) Regulations 2003 also allow for additional payments to be made to supported women who are pregnant and to children under the age of 3. The additional funding is intended to allow supported asylum seekers to purchase extra healthy foods. As the payment will be in cash, asylum seekers can choose what they buy.

Pregnant women and young children aged between 1 and 3 each receive an additional £3 per week. Babies under 1 receive an additional £5 per week.

Further information on the UK's asylum support system, as well as policies and instructions, can be found on the following websites:

<https://www.gov.uk/asylum-support>

<https://www.gov.uk/government/collections/asylum-support-asylum-instructions>

## **2. Access to education for asylum seekers:**

In England, all three- and four-year-olds, and two-year-olds whose parents receive support under Part 6 of the Immigration and Asylum Act are entitled to a funded early education place on the same basis as other children. Scotland, Wales and NI also provide funded early education but arrangements may differ.

Minor asylum-seekers between the ages of five (four in Northern Ireland) and 16 have the same rights as all other children in the UK during the period of compulsory education. From 2015, in England, it will be compulsory to remain in some form of education or training until the age of 18.

All 16- to 18-year-old asylum-seekers are eligible for funding from UK educational funding agencies [Education Funding Agency/ Welsh Dept for Education and Skills (DfES)/Dept of Employment and Learning for Northern Ireland (DELNI)/Scottish Funding Council(SFC)] in respect of their attendance in a further education (FE) course, as are UK students.

Asylum-seekers aged 19 or over are treated as UK students for the purpose of fees for further education if they have been legally in the UK for longer than six months pending consideration of their application for asylum or if they have failed in their claim but have been granted support under the Immigration and Asylum Act 1999. This follows the granting of concessions to enable asylum-seekers to access funding from the UK skills funding agencies (e.g. Skills Funding agency/DfES/DELNI/SFC) in certain circumstances, for example for courses teaching English for Speakers of Other Languages. Otherwise they are treated as international students and may be required to cover the full cost of their course. However, an FE college or provider has discretion over the level of fee that they actually charge.

Asylum-seekers have access to higher education courses as international students and can expect to be charged the full cost of their course by the university concerned.