

Asylum Support Partnership

help and advice



September 2012

English

Applying for asylum support

People seeking asylum are excluded from claiming mainstream welfare benefits and most asylum seekers are not allowed to work. Under exceptional circumstances you may be entitled to work but you need to seek advice about this.

As the asylum process can be long, you may need to think about how you will support yourself. You may be eligible to apply for support from the UK Border Agency (UKBA). UKBA is the government department responsible for supporting destitute asylum seekers. UKBA can provide both accommodation and cash support for food and clothing. If you have accommodation, for example with friends and relatives, you can apply for cash support only. Cash support is also called 'subsistence support'.

If you are unable to support yourself, you can apply for asylum support, at any point while your asylum claim is ongoing. If you need to, you can ask for support at the same time you apply for asylum. UKBA should then arrange for temporary accommodation for you.

Young people aged under 18: If you are accepted by UKBA and/or social service as under 18, and are applying for asylum on your own, you will get support from your local authority.

Who is eligible for support from UKBA?

You may need both accommodation and cash support, or you may need cash support only. In either case, you will have to prove to UKBA several things:

- That your application for asylum has been recorded and your application has not yet been determined
- That you are destitute (meaning you have very little or no money and accommodation)
- That you have applied for asylum 'as soon as reasonable practicable' after arriving in the UK
- That you are over the age of 18 years old

What does 'as soon as reasonably practicable' mean?

This test applies to people who apply for both accommodation and cash support and those who apply for cash only support. When considering your application for cash only support (even if you previously were receiving accommodation and cash support and wish to cash support only) UKBA will consider the following:

- Whether you have applied for asylum within three days of arrival;

Other translated leaflets are available at www.refugeecouncil.org.uk

Asylum Support Partnership is a partnership project hosted by the British Refugee Council British Refugee Council, (commonly called the Refugee Council) is a company limited by guarantee registered in England and Wales, [No 2727514] and a registered charity, [No 1014576].
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- Whether the account given by you about your arrival is credible.

Normally UKBA will use information which you give them when you applied for asylum to determine whether you did apply 'as soon as reasonably practicable'. If UKBA is unable to make a decision whether to grant you support, or if they think that you did not apply for asylum early enough then they will invite you to an interview in Croydon, Glasgow or Liverpool. If you inform UKBA that you cannot afford to travel to Croydon then they may arrange the interview to happen in the regional office where you live. **It is essential that you attend this interview if you want to prove that you need support and that you applied for asylum 'as soon as reasonably practicable'.**

UKBA will not refuse you support if the following circumstances apply:

- If you are part of a family with children under 18;
- If you have special needs, for example, a mental or physical disability; if you have special needs, you are entitled to an assessment of need from you local authority under community care legislation. An advice organisation or a member of your family can help you to request this assessment.
- If you can show that you will suffer inhuman and degrading treatment, as set out in the European Convention on Human Rights, if the Government does not grant you support. This will usually be the case if you would be made destitute and street homeless without asylum support. You may need legal advice to see if this applies to you.

If you were already legally in the UK, and then applied for asylum due to changed conditions in your home country, UKBA will examine whether you applied for asylum at the earliest possible opportunity.

How do I apply for UKBA support?

The refugee organisations listed at the end of this leaflet can help you to apply to UKBA for support. Other organisations such as the local Citizens Advice service or refugee groups may be able to help with this as well. If you are detained in a removal centre, and you are successful in your bail application, one of the refugee organisations may help you apply for UKBA support.

I need accommodation and cash support

You can apply for accommodation and cash support at the same time. If you have nowhere to live whilst you are waiting for a decision on whether you are eligible for UKBA support, UKBA will place you in an induction centre or in initial accommodation when you claim asylum. Initial accommodation is where asylum seekers are accommodated and provided with food or cash support on short term basis.

UKBA agrees to accommodate me

If UKBA decides that you are eligible for support, they will arrange to move you to accommodation, usually outside London and the South East of England. UKBA call this process 'dispersal'. Your dispersal accommodation will normally be in the same area as your initial accommodation. You cannot choose where UKBA will send you; but they should take into account your physical needs and personal circumstances. Before you move to your UKBA accommodation, you will receive information about where you will be living, how you can obtain cash support, and who to contact in your new location if you have problems. UKBA will arrange and pay for your travel to the accommodation.

What type of accommodation will I get?

UKBA will usually move you to a shared house or a flat. People who run these places are called landlords. They will provide you with bedding, basic kitchen equipment, and are responsible for helping you to contact and use services in your area. They will ensure that you can access a local doctor, schools and/or colleges. Your landlord is responsible for ensuring that your accommodation is in a good state of repair. If you have any concerns about your accommodation or access to local services raise this with your landlord or your local One Stop Service. Please remember that you may be asked to share with someone you do not know.

How long can I stay in UKBA accommodation?

UKBA expects you to remain in the accommodation they provide you with unless they give you permission to move. If you leave your accommodation without permission, UKBA can stop providing support and accommodation for you altogether. If you wish to move out of UKBA accommodation and stay with someone else, you must tell UKBA about such changes. You can stay with the accommodation until UKBA decides your asylum application. If UKBA grants you status, your support will end after 28 days. This means that you will have to move out within 28 days.

Will UKBA support me if I pursue an appeal?

Yes. If UKBA refuses your asylum application but you have appealed within their time limits, you can continue staying in your accommodation and you will continue to receive support.

Will UKBA support me if my appeal has been refused?

If you have dependent children under the age of 18, your support should continue even if your appeal has been refused.

If you do not have dependent children aged under 18, and have no further rights of appeal, UKBA will stop your support 21 days after your asylum claim was finally refused.

However, you may be able to apply for Section 4 support. Please see Asylum Support Partnership leaflet 'Are you destitute and at the end of the asylum process?' at www.refugeecouncil.org.uk or Scottish Refugee Council leaflet 'Section 4 Support', if you live in Scotland. Your legal adviser or your nearest refugee organisation may be able to help you with the application.

I need cash support only

If you have somewhere else to stay, for example with friends and relatives, you can apply to UKBA for cash support only. It can take several weeks before UKBA considers an application. No support will be provided during this period, and no back payments are available. If UKBA agrees to give you cash support, the following should happen:

1. UKBA will send you a letter confirming that you are entitled to cash support.
2. They will give you temporary vouchers called emergency support tokens. They are only valid for a short time. You can exchange them for cash at the post office.
3. If you have your Application Registration Card (ARC) you should be able to collect your regular payments by presenting the card at the designated post office. Sodexo, the company which provides the payments, will send you a letter confirming which post office you should go to.

If you have any questions about your cash support or are experiencing any problems you should call the UKBA helpline on **0845 602 1739** or visit your nearest One Stop Service. Please note that this applies to people receiving both cash and accommodation as well.

What happens if I lose my tokens or the ARC?

If you have lost your tokens or your ARC, or someone has stolen it, you need to report the loss or theft to the police to get new token or new ARC. You need to get a written proof of the police report with crime reference number, name of the police officer and the name of the police station. You need to fax the police report to UKBA on **020 8633 0653** or **0870 336 9233** in Scotland or contact your local One Stop Service.

If you want to change the post office from which you are receiving your payments or if you have difficulties accessing your payments with ARC, you should call Sodexo telephone helpline on **01276 687 099**. If you don't speak English, you may need to ask an interpreter or a friend to help you call.

My circumstances have changed

If your circumstances change and you need accommodation as well as cash support, you can apply for accommodation at a later stage. You should contact the nearest refugee organisation that can help you with this.

What other help can UKBA give me?

Maternity payment

You can apply to UKBA for a maternity grant for a newly born child. This is a one off payment of £300 in tokens. The application must be made in writing up to one month before the expected date of delivery or no longer than two weeks after the baby is born. You must include evidence of the date of expected birth, or the child's full birth certificate. Children born three months before arrival in the UK or less are also entitled to the maternity payment. Please note that those receiving Section 4 support can only receive £250 in tokens.

Payments for pregnant women and children

Pregnant women and families with children between one and three years who are receiving support from UKBA are entitled to an additional £3 on top of their basic UKBA payments. An additional £5 a week is available for babies under the age of one year. These payments are also available to those on Section 4 Support.

Travel to asylum and appeal interviews

If you receive support, UKBA will pay your travel expenses to your asylum and appeal interviews. You can apply for assistance to pay for your travel. Your local One Stop Service can help you with this request.

Other information

What if UKBA refuses to support me or threatens to withdraw my support?

If UKBA refuses to support you, you may have the right to appeal to a support adjudicator, but you will not be able to get any support from UKBA while you are waiting for your appeal to be decided. There is no right of appeal for asylum seekers who are refused support on the basis of not having claimed asylum 'as soon as reasonably practicable'.

However, if you are receiving support and UKBA informs you that this support will be withdrawn, you may have the right to appeal and your support will continue while you appeal. For more information on asylum support appeals, please see the Asylum Support Appeals Project factsheets at: www.asaproject.org.uk

Can I travel?

You are free to travel within the United Kingdom (UK) but, if you are staying in UKBA accommodation, you are only allowed to be away for no more than seven days and nights in

a row, or 14 days and nights during six-month period. If you intend to be away from your accommodation you should inform your landlord.

Can I work while I am waiting for a decision on my asylum claim?

As an asylum seeker you are not usually allowed to work. However, if you have been waiting for over a year for an initial decision on your asylum application you can apply for permission to work. Your solicitor may be able to help you with this. While you are in the asylum process you can undertake voluntary work which is a good way to learn new skills. This work has to be genuinely voluntary and unpaid. Travel and lunch expenses are usually paid if you do voluntary work.

Important note:

If your circumstances change, for example, you are joined by a family member, or change address or wish to apply for a maternity payment, you should tell UKBA if possible before it takes place. You should write to UKBA informing them how your circumstances have changed. Please keep a copy of your letter. Your nearest refugee organisation listed below should be able to help you.

Sources of help and advice

Refugee agencies such as Multi-Cultural Resource Centre, North of England Refugee Service, Refugee Action, Refugee Council, Scottish Refugee Council and Welsh Refugee Council are the main organisations providing help and advice to asylum seekers. They believe that asylum seekers and refugees should be treated with understanding and respect. These organisations provide advice and information on accommodation, cash support, asylum, health and other issues through their One Stop Services in different UK regions. They are independent and separate from the Government. Staff in these organisations will advise you in your best interest. But please note that they are usually unable to change decisions made on your case by government departments. Other organisations such as the Citizen Advice service, local advice or refugee groups can also offer free advice and information.

Multi-Cultural Resource Centre (Northern Ireland)

Tel: 02890 238 645

www.mcrc-ni.org

North of England Refugee Service Head Office (North East)

Tel: 0191 245 7311

www.refugee.org.uk

Refugee Action Head Office (East Midland, North West, South Central, South West)

Tel: 020 7654 7700

www.refugee-action.org.uk

Refugee Council Head Office (London, East of England, Yorkshire & Humberside, West Midlands)

Free advice line: 0808 808 2255

Tel: 020 7346 6700

www.refugeecouncil.org.uk

Scottish Refugee Council

Tel: 0141 248 9799

Freephone: 0800 085 6087

www.scottishrefugeecouncil.org.uk

Welsh Refugee Council
Tel: 02920 489 800
www.welshrefugeecouncil.org

Asylum Support Partnership consists of:

North of England Refugee Service, charity number: 1091200 www.refugee.org.uk
Refugee Action, charity number: 283660 www.refugee-action.org.uk
Refugee Council, charity number: 1014576 www.refugeecouncil.org.uk
Scottish Refugee Council, charity number: SC008639 www.scottishrefugeecouncil.org.uk
Welsh Refugee Council, charity number: 1102449 www.welshrefugeecouncil.org