

Our Social Policy team has put together a fact sheet with a definition of key terms. Read on to learn more about the difference between refugees, asylum seekers, and other terms.

### **Who is a person seeking asylum or asylum seeker?**

An asylum seeker is someone who has arrived in a country and claimed asylum. Until they receive a decision on their claim by the country's government, they remain an asylum seeker. The right to seek asylum is a right all people share. **It cannot be illegal to seek asylum** as this is a legal process enshrined in the UN Refugee Convention.

#### *What kind of support do asylum seekers receive in the UK?*

In the UK asylum seekers have very different rights and entitlements than refugees (see below for definition of 'refugee') or British citizens.

Asylum seekers (with an active and pending asylum case) are entitled to being housed and to limited financial support. They receive cash support set at £5.39 a day for food, clothing and other basic necessities. They cannot choose where to live. In most cases they will be housed in what is called a 'dispersal area'. These are regions in the UK where most asylum seekers are housed. The government outsourced this service to a company called SERCO through the Asylum Accommodation and Support Services Contracts (AASC). Children of asylum seekers are entitled to attending a free state school and can receive free healthcare from the National Health Service (NHS). They may also be entitled to free school meals.

Asylum seekers are however not allowed to work, and as a result often rely on help from their community, charities or local support groups to meet basic necessities.

Women who are pregnant or with children under three, can also receive extra money to help them buy healthy food:

- Pregnant women receive an extra £3 a week.
- A baby under the age of 12 months receives an extra £5 a week.
- Children aged between one and three years receive an extra £3 a week.

Pregnant women may also be able to receive a one-off £300 maternity payment if they meet certain requirements.

The [Asylum Support Appeals Project \(ASAP\)](#) provides more detailed information on the kind of support available to people seeking asylum.

## Who is a refugee?

Article 1 of the 1951 United Nations Convention relating to the Status of Refugees, as amended by its 1967 protocol defines a refugee as a person who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country”.

**A refugee is a person who has claimed asylum in a country (not their country of birth) and whose claim has been accepted**, meaning that refugee is a legal status. Those who obtain refugee status are given protections under international laws and conventions and are entitled to financial and other support from their host country.

*What kind of support do asylum seekers receive in the UK?*

Refugees have very different entitlements from asylum seekers. For example, they have the right to work, and if unable to work they are allowed to claim social security support. They can also open a bank account and apply for a National Insurance Number.

Once a person receives refugee status, the Asylum Support and 'section 4' support stops 28 days after the decision. This means that person will:

- stop getting their cash allowance.
- have to move house (if they were given somewhere to live as an asylum seeker).

This is known as the 'move-on period'. Many charities are campaigning for this period to be extended to 56 days as 28 days is simply not enough for people to have enough time to get back on their feet. Within this short period of time, a person is expected to find a new house, find a job (or risk becoming destitute), apply for a bank account and more.

The Home Office does not provide housing for refugees, it is the responsibility of the individual to find housing, in most cases they will need to contact their local council for help.

Refugees might also be entitled to benefits like:

- Universal Credit - if unemployed, too ill to work or on a low wage.
- Pension Credit - if over working age.
- A refugee integration loan - to help pay for a rent deposit, household items, education and training for work.

## Who is a migrant?

There is no internationally accepted legal definition of a migrant. 'Migrant' is not a legal status as 'refugee' is for example. Like most NGOs and agencies, the SVP understands migrants to be people who have moved from their country of origin to a different country. This is different from Internally Displaced People (IDP).

People migrate for many different reasons. Some may leave their country because of work, to join their family, or to study. Some move because of lack of opportunities, unemployment, natural disasters, violence or many other reasons. People move for many different reasons; we don't believe migrants should be judged or discriminated based on their reasons for moving.

Many people who are migrants don't necessarily fit the definition of refugee (as defined in the UN Refugee Convention) but may nevertheless be at risk if they went back to their country of origin. It's important to remember that **just because a migrant may not be fleeing war or persecution, they should still be entitled to their human rights, regardless of their reason for migrating.**

## Who is a refused asylum seeker?

A person is considered to be a 'refused' or 'failed' asylum seeker if their claim for asylum or claim under Article 3 of the European Convention on Human Rights has been refused and any subsequent appeals have been unsuccessful. Unsuccessful asylum seekers are often referred to as 'appeals rights exhausted (ARE)'. In general, refused asylum seekers are excluded from most social security benefits. In very limited circumstances there are exceptions that mean they might be able to claim a particular benefit.

Once an asylum claim has been refused the Home Office will write to the person in question telling them that they need to leave the UK. If a refused asylum seeker is single with no dependent children, any support they have been receiving from the Home Office will stop 21 days after their asylum claim has been fully refused.

There are exceptions to the above rule in cases where a refused asylum seeker has children. If a person has dependent children who were part of their household before their initial asylum claim was fully refused, for support purposes only they continue to be treated as asylum seekers and remain entitled to Section 95 asylum support (called this because it is provided under Section 95 of the Immigration and Asylum Act 1999). This support continues until their youngest child turns 18 years or until they are removed from the UK.

One of the few entitlements available to refused asylum seekers is called Section 4 support. This consists of accommodation and a pre-paid card (called ASPEN card) currently worth £39.60 per

week for food and essential toiletries and is provided by the Home Office to those who are considered destitute and/or at risk of homelessness. There are however very strict criteria used as a 'test' to assess a person's eligibility for Section 4 support. In reality, most people would be unable to pass the 'eligibility test' without the help of a qualified immigration adviser (often this support is provided by pro bono lawyers and charities).

[Right to Remain](#) has several guides in different languages for people who have been refused asylum. However, please note that giving immigration advice is strictly regulated, and only qualified immigration advisers are allowed to give advice on immigration.

[Maternity Action](#) provides a detailed guide of the type of support available to refused asylum seekers.

### **What does No Recourse to Public Funds (NRPF) mean?**

No Recourse to Public Funds, often referred to as NRPF, is a condition attached to someone's immigration status which prevents them from accessing social security support (with a few exceptions in specific circumstances). A person with NRPF is legally entitled to live in the UK but is **left with very little means to support themselves and have to often rely on the support from their local community or charities to pay for basic necessities** like food, heating and transport costs.

In practice, the "no recourse to public funds" condition is imposed on almost all migrants granted limited leave to remain (which means they are allowed to live in the UK for a limited period of time, usually five years). People with NRPF may fall in a number of groups including:

- Unaccompanied Asylum-Seeking Children (UASC) Care Leavers: UASC who have 'aged out' of the care system, who are yet to receive a determination of immigration status in their favour.
- 'Zambrano' carers: primary carers of British citizen children, where the primary carer is not an EEA national.
- People in the UK on a spousal visa, student visa, or who have limited leave granted under family or private life rules.

Local Authorities are however ultimately responsible for supporting people with NRPF where they are destitute and/or at risk of homelessness. People with NRPF who have dependent children may also be entitled to a support commonly referred to as Section 17 support. This is to prevent children from being homeless. As with most immigration rules, there are several exemptions and regulations. More details and guidance are provided by [Free Movement](#).

## What are Refugee Resettlement Schemes?

Refugee Resettlement Schemes are schemes operated by the UK Government to resettle a selected number of people to the UK. These schemes are usually operated as a partnership between the Home Office, the United High Commissioner for Refugees (UNHCR) and Local Councils. Local Councils also often contract local agencies (such as local charities) to provide the day-to-day support to the refugees. At present, the UK operates the UK Resettlement Scheme (UKRS), this has replaced the previous scheme called Vulnerable Persons Resettlement Scheme (VPRS), which was created in response to the Syrian crisis.

The UNHCR assesses cases for this scheme abroad and works with the Home Office to arrange travel and support for the refugees. People who arrive to the UK under this scheme are granted refugee status.

Refugees who are resettled to the UK under the UKRS are provided with tailored support in the form of caseworkers, immigration advisers, and will receive help from the local Council who applied to be part of the scheme. As part of this scheme, the Home office receives offers of accommodation either directly from a Local Authority, or on a regional basis through a regional Strategic Migration Partnership (SMP). Refugees are matched to a local authority that can provide suitable accommodation and the appropriate support for those being resettled.

More recently the UK has launched the Afghan citizens' resettlement scheme (ACRS) and the Afghan Relocations and Assistance Policy (ARAP). The SVP has produced a separate fact sheet on these two schemes which you can find [here](#).

More information on the UKRS is available [here](#).

More details on the VPRS scheme are available on the [Government website](#).

## What is Community Sponsorship?

The Community Sponsorship is a programme launched by the Home Office in 2015 as a response to the Syrian war which allows local people to welcome a refugee family to their local area and support them as they rebuild their lives. Today hundreds of refugees have been sponsored across the UK and Community Sponsorship Groups are active in every region of the UK.

Community sponsor groups are groups of local citizens usually made up of 5 to 20 members, who work together to raise money and arrange the logistics so that they can welcome a refugee family in their local area. Every group will have a Lead Sponsor, a person ultimately accountable for the resettlement support provided by the group to the refugee family. The Lead Sponsor's responsibilities include adhering to the legal and financial requirements, establishing that a robust

safeguarding policy is in place and adhered to, ensuring group members are suitable to support a refugee family and that consideration is given to conducting Disclosure and Barring Service (DBS) checks where applicable. In some cases, sponsor groups may partner up with a larger organisation or umbrella charity who will act as Lead.

Watch a video from Reset about Community Sponsorship [here](#).

Read the Government's full guidance on Community Sponsorship [here](#).

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