

Refugees and asylum seekers

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What is a refugee?

A refugee is someone who has been forced to flee their country because of persecution, war or violence. A refugee will have a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular group.

What is an asylum seeker?

An asylum seeker is someone who has applied for asylum and is waiting for a decision on whether or not they are a refugee.

What support is given

Asylum support in the form of money and housing is given by the Home Office until they make a decision on the asylum seekers status to remain in the UK. Asylum seekers are not entitled to Universal Credit until the Home Office decision is made. Once the asylum seeker has been granted refugee status and given leave to remain in the UK, they will receive a further 28 days of asylum support from the Home Office. This is to give them time to find work or apply for DWP benefits and look for accommodation.

A benefit claim can be made while they are receiving asylum support. Asylum support payments, in a Universal Credit claim, are not deducted from the award. A one-off settlement grant by the Home Office is treated as capital.

A refugee may have complex needs that require individual tailored support for making or maintaining a benefit claim, Assisted digital and Help to Claim must always be considered. For more information, see Complex needs – Other needs and situations. A refugee must be offered an advance payment when making a new claim.

For information and assistance in communicating with claimants whose first or preferred language is not English, refer to the Interpreter and Translation Services or Welsh language line.

Where linked pages' mention LMS, other benefits or using other systems as appropriate, use the Universal Learning guidance and the Universal Credit service

instead. If a claimant needs support through translation services, then it should be recorded in the claimant history.

People arriving under a resettlement scheme

Currently, the Home Office manage three resettlement schemes:

- Vulnerable Person Resettlement Scheme – for people displaced from Syria
- Gateway Protection Programme – a small programme open to non-Syrians
- Vulnerable Children’s Resettlement Scheme – is the same process as the Vulnerable Person Resettlement Scheme but for family groups from the Middle East and North Africa

Information on these three schemes can be found on Gov.uk

Participants receive a 12-month support package from the local authority or community sponsors. This includes help with finding accommodation, opening bank accounts and finding employment.

Resettlement refugees are given a one-off settlement grant by the Home Office. This grant should be classed as capital and not income. The arrival of those under resettlement schemes is known in advance, so we can help them claim Universal Credit and use our services as soon as possible after their arrival in the UK. If backdating is requested, the normal rules apply. See Backdating.

Assisted digital must always be considered.

Identifying a refugee

When a person is granted refugee status in the UK they are issued a Biometric Residence Permit (BRP). A residence permit can be issued to a family member of a person granted refugee status where the family member does not qualify for such status.

The residence permit is valid for up to five years. Where the limited leave to remain is ending, a new application must be made to the Home Office and entitlement to Universal Credit re-considered.

They are informed to report any changes in their circumstances to the Home Office and in some cases a new application is made.

Indefinite leave to remain may be granted after they have been legally settled in the UK for five years.

Unless the BRP states they have no recourse to public funds, they can make a claim to Universal Credit.

Refugees are identified through the, Prove You Can Apply service.

Refugees who were granted this status in the 8 weeks before the Universal Credit claim, and who can provide their BRP or evidence of their status, can be fast tracked without having to complete the eHRT tool. A straightforward Habitual Residence Test decision is made.

Method of payment

Some refugees may not have opened a bank or building society account yet. Alternative payment methods must be considered so as not to prevent the Universal Credit payment being delayed. Consider referral to Help to Claim for further support for the claimant. For more information, see Complex Needs: Other needs and situations.