

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 seeker's 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.

They will also be contacted by Migrant Help. This is an organisation commissioned by the Home Office to offer newly granted refugees information, advice, guidance and support on benefits and housing. This support includes signposting them to other relevant external organisations.

A benefit claim can be made while the refugee is 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 the Welsh language line.

Refugees can also make a claim for Child Benefit using a paper-based application CH2 form which is available on GOV.UK. All applications will be fast-tracked as long as the form is annotated with the words 'fast track' and sent to:

Postal Operations Department
Child Benefit Office
PO Box 1
Newcastle Upon Tyne, NE98 1AA.

People arriving under a resettlement scheme

The Home Office manages the government's humanitarian relief programmes, known as resettlement schemes.

The arrival of those under resettlement schemes is known in advance so that we can help them to 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.

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 is treated as capital and not income.

Assisted digital must always be considered.

Identifying a refugee

When a person is granted refugee status in the UK they are issued with a Biometric Residence Permit (BRP).

The refugee must report non-receipt of a BRP, or any errors such as name misspellings, to the Home Office as soon as possible.

A residence permit can be issued to a family member of a person granted refugee status where that family member does not qualify for such status.

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

They are advised 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 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.

Most BRPs will include a National Insurance number (NINO). If the BRP does not include this, action must be taken as soon as possible after the Habitual Residence Test decision to arrange a NINO on the refugee's behalf using the eDCI1 process.

Method of payment

Some refugees may not have opened a bank or building society account. 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 further information, see Habitual Residence Test and Complex Needs: Other needs and situations.