Please note that the information in this leaflet is not intended to be a full explanation of the law or of your rights: for detailed advice about your own circumstances, you should contact a specialist adviser or a solicitor.

For further information, contact one of the ROAP partnership organisations:

For advice on the asylum application process contact:

Asylum Aid
28 Commercial Street
London E1 6LS
Tel. 020 7377 5123
Fax. 020 7247 7789

For advice on welfare benefits, asylum support and housing contact:

Central London Advice Service (CLAS)
Derry House, Penfold Street
London NW8 8HJ
Tel. 020 7402 6750 ext. 23
Fax. 020 7224 8264

For advice on adult education, training & employment contact:

Refugee Education & Training Advisory Service (RETAS)
14 Dufferin Street
London EC1Y 8PD
Tel. 020 7426 5837
Fax. 020 7251 1314

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2. The asylum process
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7. Overcoming barriers to education
8. Entitlements to education for asylum seekers & refugees (16+)
9. Employment for asylum seekers & refugees

Most asylum seekers are excluded from most welfare benefits. However there are some exceptions so you should check if these apply to you (see ROAP leaflet No.4). Welfare benefits are paid in cash and at a higher rate than other forms of support described in this leaflet.

You can get asylum support if you:

- have claimed asylum, or you are a dependent of someone who has, and the claim, or an appeal against a refusal, has not yet been decided. (If you have asked to stay in the UK under Article 3 of the Human Rights Convention, or you are a dependent of someone who has, you are included in this category); and
- are aged 18 or over; and
- are accepted as destitute or likely to become destitute within 14 days.

This means that either:

- you (and your household) do not have adequate accommodation that it is reasonable for you to continue to occupy, or any means of obtaining adequate accommodation; or
- you cannot meet your other essential living needs. Account will be taken of any income or savings you have and any income or other support you might reasonably be expected to have available to you.

However, you will be excluded from asylum support if you:

- are ‘intentionally destitute’; or
- are entitled to income support, income-based job seekers allowance, housing benefit or council tax benefit.

Where to go for support

There are two systems of asylum support, one provided by your local authority (LA) and the other provided by the National Asylum Support Service (NASS). The one you can apply to will depend on when and where you claimed asylum.

You apply to your LA if either:

- you claimed asylum, other than at the port of entry, before the relevant date for the area in which you claim support. These are: 17.4.00 (Kent and Medway),
24.7.00 (London), 31.7.00 (Wales, North East, Yorkshire and Humberside),
14.8.00 (North West, East Midlands, Eastern, South West and South Central),
29.8.00 (West Midlands and Sussex); or
• you ceased to be entitled to IS because of a negative asylum decision made
  before 25.9.00 (17.4.00 if in Kent or Medway).

Otherwise you apply to NASS.

To apply to your LA you should go to the asylum team within your local social
services department. The LA can provide temporary accommodation and support
whilst your application is processed.

To apply to NASS you should go to the reception assistant for your area. (Phone
one of the organisations listed on the back of this leaflet if you need your local
reception assistant.) These can provide temporary accommodation and support
whilst your application is processed. However they cannot assist if you have ceased
to be entitled to benefit because of a negative asylum decision made on or after
25.9.00. Instead, if you have school age children, you can contact your local
authority for assistance in applying to NASS.

When you make your application you should take proof of your identity, asylum
claim and any income and savings.

What support can you get?

The main difference between asylum support provided by your LA and that provided
by NASS is for people without children. Unless you have a child living with you,
the LA must provide both accommodation and other support whereas NASS can
provide one or the other or both. If you have dependent children then under either
system you can choose to apply for just accommodation, or just support, or both.

Accommodation

The accommodation will be provided in a region outside of London and the South
East unless there are exceptional reasons for you staying in these areas.

The exception is if you ceased to be entitled to benefit because of a negative asylum
decision made on or after 25.9.00 and you have school age children. In this case
your LA may (particularly if your children have been at school for a year), pay the
rent for your current accommodation (and NASS will provide support).

Essential Living Needs Support

If you are supported by NASS you will receive vouchers which you collect each
week from the post office, together with £10 cash per week for each member of your
family. You can spend your vouchers in any shop participating in the scheme.
There is no restriction on what goods you can buy within these shops.

If you have been supported for 6 months by NASS you can claim a £50 payment for
each member of your family.

If you are expecting a baby within a month or you had a baby less than 2 weeks ago
(or 3 months if born outside the UK and you have evidence) you can claim a £300
maternity payment.

For either of these payments you must make a claim in writing to NASS, they will not
be paid automatically.

If you are supported by your LA you may be paid in various ways, but most LAs
will pay you in vouchers. Unless you have children the LA will not normally pay
more than £10 cash per person. If you do have children some LAs will pay all your
support in cash.

When support ends

Your support will end 14 days after your asylum claim and appeal (if any) have been
decided.

However if you have been getting support for a child, your support will continue
while you both remain in the UK and your child is under 18.

Otherwise if your asylum claim and appeal have been refused you may be able to
apply to the discretionary “Hard Cases” fund run by NASS. If successful you will be
given full board accommodation outside London.

If you are granted Indefinite Leave to Remain as a refugee or Exceptional Leave to
Remain (ELR) you are entitled to apply for LA housing (see ROAP leaflet No.6) and
to claim welfare benefits. Do not delay making your claim. If you are granted
Indefinite Leave to Remain as a refugee you may also be able to claim backdated
benefit (see ROAP leaflet No.4).

Your support may also end if you do not comply with any of the conditions given to
you in writing when you are offered the support.

Challenging decisions

If you are refused asylum support seek advice immediately. You may have a right
to appeal against a decision by NASS to refuse, or stop providing, you support. You
have to appeal within 2 days of the decision.

Other support available from Social Services

You may be able to apply for accommodation together with other support from the
LA if you have special needs because, for example, you have a disability, health
problems or are elderly, and so your need for accommodation and support is not
solely because you are destitute. This accommodation and support would be
provided under the National Assistance Act or other community care legislation. If
you think this may apply to you seek advice.

You may be entitled to accommodation and support under the Children Act if you
are aged under 18, or you have one or more children aged under 18 and you are not
entitled to asylum support.
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**Refugee Outreach Advice Partnership**
ROAP is a partnership between Asylum Aid, Central London Advice Service (CLAS) and the Refugee Education & Training Advisory Service (RETAS)

**ASYLUM SUPPORT**
**ROAP Information Sheet No. 5**

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