

Adult education and employment

Spring 2007

Asylum seekers and those with a positive decision are entitled to some education and training opportunities.

Government training schemes

Government training schemes are training programmes designed to help unemployed people find employment, particularly those who have been out of work for a long time. These programmes are government funded and include the New Deal programme, the Work-based Learning for Adults scheme, and a training programme for unemployed people under the age of 18.

| Status | Government training schemes |
|---|--|
| Refugee status/ILR | Eligible |
| HP/DL/ELR | Eligible |
| Asylum seekers without permission to work | Not eligible |
| Asylum seekers with permission to work (applied before 1 April 2000) | Eligible (if registered unemployed for 26 weeks) * note: people with disabilities or ESOL needs may be able to start Work Based Learning for Adults earlier than this |
| Asylum seekers with permission to work (applied after 1 April 2000) | Not eligible |

Further and higher education

Asylum seekers and people with a positive decision are legally entitled to access further and higher education courses provided they

- satisfy the entry requirements; and
- can pay the course fees and support themselves financially while studying

There are some courses which asylum seekers and people with a positive decision can access for free.

However, in late 2006, the Learning and Skills Council (LSC) announced some changes to fees and course criteria for 2007/08. At the time of writing, only priority groups, including people who are unemployed or receiving income-based benefits are eligible for free English for Speakers of Other Languages (ESOL) learning.

A more recent announcement means that the following groups are eligible for LSC funding in 07/08:

- Asylum applicants who have been waiting for a decision on their claim for more than six months.
- People on section 4 support.

The LSC's operational guidance for 07/08 on funding eligibility is expected to be published in March or April 07.

For more information, see the Refugee Council briefing on *ESOL funding* on www.refugeecouncil.org.uk > policy & research > briefings > ESOL funding

- Note: People with refugee status or HP/DL/ELR who receive jobseeker's allowance or income support can only study up to 16 hours a week, otherwise they will lose their entitlement to benefits.

What can I do if...

My client wants to enroll in a further education course?

The college will require evidence confirming his/her status (ARC, Immigration Status Document or letter granting status from the Home Office). Some colleges also require evidence to confirm the person receives support in order to be eligible for free courses.

- To confirm that your client receives asylum support from the Home Office's Border and Immigration Agency (BIA), the student should send a written request indicating that s/he is applying for adult education. The letter should be signed, include his/her full name and NASS/BIA reference number. Send the request to your Asylum Support Regional Office (see *Contacts*)
- To prove your client receives benefits, s/he should bring either his/her income support or child benefit book.

My client wants more information on statutory funding opportunities (such as access and hardship funds) for courses?

- Contact the Refugee Assessment and Guidance Unit (RAGU) – they support refugees with high-level education or professional qualifications, into employment and education. Go to www.londonmet.ac.uk/ragu
- You can also contact your local Learning and Skills Council or Student Services in FE colleges for further advice and information.

My client is unsure if s/he is eligible for learner support funds?

The main statutory financial support system for further education (FE) is the FE learner support funds. They cover both part-time and full-time courses, but are only available to students in need. Entitlement depends on immigration status (see below).

Further education

| Status | Fee | FE learner support funds |
|--------------------|--|---|
| Asylum seekers | Currently, charged home student fees if on BIA asylum support or means tested support. However, starting in August 2007/08, colleges will classify all asylum seekers as international students (although colleges do have the discretion to charge asylum seekers home student fees or waive fees altogether). | Not eligible if over 18 |
| HP/DL/ELR | Home student fees. Free to those on benefits unless the course is self-financing | Eligible after three year's residency in the UK |
| Refugee status/ILR | Home student fees. Free to single parents, registered disabled people, or those who are on benefits unless the course is self financing | Eligible |

Higher education

| Status | Fee | Student Support |
|----------------|-----------------------|--|
| Asylum seekers | Overseas student fees | Not eligible |
| HP/DL/ELR | Home student fees | Eligible after three years residency in the UK |
| Refugee status | Home student fees | Eligible |

My client is about to turn 19 years old and wants to continue learning ESOL?

Asylum seekers aged between 16-18 years will continue to be eligible for LSC funding in Further Education. If they have started a course before turning 19, they will remain eligible. This is also true for those placed on a waiting list for a course when they are 18. If they are still on the waiting list when they turn 19, they are eligible for LSC funding in Further Education.

Note: for more information about education for refugees and asylum seekers, see

- The Guides for Refugees and Asylum Seekers written by the Refugee Assessment and Guidance Unit (RAGU) – they support refugees with high-level education or professional qualifications, into employment and education. The guides are also translated into many community languages, see www.londonmet.ac.uk/ragu > RAGU's publications.
- The Department for Education and Skills which has help and advice on student finance. See: www.dfes.gov.uk

- The Refugee Council's training seminar, *Widening participation of asylum seekers and refugees in further and higher education*, which provides updates on current policies and funding eligibility, along with fostering the sharing of practical ideas and developing frameworks to facilitate the recruitment, retention, achievement and progression of refugees and asylum seekers. For more information, see our website: www.refugeecouncil.org.uk > events and training > training > for service providers > courses available.

Employment

Anyone with refugee status or HP/DL/ELR has the right to work in the UK. They do not need to tell the Home Office before applying for, or taking up a job.

Asylum seekers are generally not allowed to work in the UK. However, the Home Office may grant permission to work if:

- An applicant has waited for more than 12 months for an initial Home Office decision;
- The delay in the Home Office's decision is not the applicant's fault.

Note: The Home Office will only accept applications for permission to work from the primary applicant, except in extreme circumstances.

For more information about employment eligibility for refugees, see *section 7* of the *Refugee Council Information Service* or see the Home Office website (www.ind.homeoffice.gov.uk)

See also *Working in the UK: Newcomers Handbook*, 2nd edition by the Centre for Economic and Social Inclusion. This book provides a comprehensive overview of support that is available to working age migrants in the UK. To order, go to www.cesi.org.uk > publications.

What to do if...

My client wishes to apply for permission to work?

Applications for permission to work should be made by post to the Asylum Casework Directorate at the following address: Lunar House, 40 Wellesley Road, Croydon, Surrey, CR9 2BY. The letter must state their Home Office reference number and that they are requesting permission to work on the basis that their application for asylum is, or was, outstanding for over 12 months without a decision. Any queries call the BIA Immigration Enquiry Bureau (0870 606 7766).

For more information, see the Refugee Council's briefing on *permission to work* at www.refugeecouncil.org.uk > policy and research > briefings > 2006

My client is a professional?

Many professional bodies are working with refugee agencies to help refugees transfer their skills to the UK. For example,

- Doctors: visit the British Medical Association (BMA) website to learn how the BMA is supporting refugee doctors: www.bma.org.uk > international activities > refugee doctors. See also the REACHE project in Manchester, www.reachenw.org
- ROSE is an NHS led website to support refugee and overseas qualified health professionals who are settled in the UK return to work in the health sector, see www.rose.nhs.uk
- Dentists: to learn how the British Dental Association (BDA) is supporting refugee dentists in the UK, see www.bda.org > quick navigation menu > refugee dentists
- Teachers: Refugees into Teaching, a partnership project funded by the Training and Development Agency for Schools and led by the Refugee Council. Other partners include UK

NARIC and two HE training providers. RiT will support refugee teachers to return to teaching in England, and give those with an interest in teaching more information and guidance. It is also building a national database of refugee teachers to support this work further. See www.refugeesintoteaching.org.uk or www.refugeecouncil.org.uk > how we help > working with partners > partnership projects > Refugees into Teaching

- RAISE is a national database for refugee engineers, supporting them to retrain in the UK. Further details and online registration is at www.raise-employment.org.uk

My client wishes to set up his/her own business?

People with refugee status, ELR/HP/DL are allowed to set up their own business in the UK. For information and useful advice, see the Refugees into Business website:

www.refugeesintobusiness.org.uk

My client is an EU accession national?

Nationals from the A8 EU accession countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovak Republic, Slovenia, Cyprus and Malta) have the right to take up work. However, they must register with the Workers Registration Scheme (WRS) unless self-employed (nationals of Cyprus or Malta are exempt from WRS). Nationals from Romania and Bulgaria will have to meet either the temporary quota scheme for low-skilled workers or the criteria for the Highly Skilled Migrant Programme. For more information, or to download the needed forms, see the Home Office website: www.workingintheuk.gov.uk or call 0870 241 0645

My client is unsure what s/he needs to prove permission to work?

Employers are required by law to check whether a person is legally entitled to work in the UK.

If an asylum seeker is allowed to work, 'employment permitted' will be written on his/her ARC in bold type. They are not required to have a national insurance number.

- An asylum seeker with permission to work can provide their ARC (with 'employment permitted' on front and back)

Those with refugee status or HP/DL/ELR can provide:

- An Immigration Status Document, or travel document showing that the person is exempt from immigration controls and has indefinite leave to remain in the UK
- A document showing the person's name and national insurance number (P45, P60, payslip, national insurance card, jobcentre plus or contributions agency documents)

- For a detailed listing of the documents needed to prove the right to employment, see www.employingmigrantworkers.org.uk > what you need to know > checking documents, or the Home Office website www.ind.homeoffice.gov.uk > law & policy > preventing illegal working. Employers can also call the Home Office Employers Helpline on 0845 010 6677.

My client needs a national insurance number?

Refugees, people with HP/DL/ELR, and asylum seekers with permission to work who do not have a national insurance number will need to apply for one as soon as they start work, or claim benefits.

- Your client can start work without a national insurance number; employers can issue a temporary one. However, your client will then have to apply for a national insurance number once they begin work.
- To apply for a national insurance number, call the DWP on 0845 600 0643 for an appointment to attend a local Jobcentre identity interview. See the DWP website for information on the documents your client should bring to the interview: www.dwp.gov.uk.

Volunteering

Asylum seekers are allowed to volunteer without permission to work as long as the activity is genuinely voluntary. Travel and lunch expenses should be paid for asylum seekers who volunteer. For more information, see *section 7* of the Refugee Council *Information Service*.

Further information

www.londonmet.ac.uk/ragu

This website set up by the Refugee Assessment and Guidance Unit (RAGU) based at London Metropolitan University provides information for asylum seekers on education and preparing for employment

www.migranet.org

Job-search guidance: how to write a CV, how to look for jobs, interview tips and know your rights.

www.refugeecouncil.org.uk

Information and research regarding employment and adult education

www.refugeesintobusiness.org.uk

Website with guidance for refugees interested in starting their own business.

www.education-action.org

Provides advice to refugees about education and professional training.

www.worktrain.gov.uk

Government website for jobs training, careers, childcare and voluntary work.