Working with refugees

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INTRODUCTION
Once an asylum seeker has been awarded refugee status they have the same entitlements to welfare benefits as UK nationals. However, the transition from asylum seeker to refugee can be problematic and there is a high risk of homelessness for this client group. Agencies supporting refugees report delays in accessing welfare benefits and housing support, and a lack of available information about where to go for help, which may result in homelessness.

This guidance is for services working with adult refugees without dependents who are homeless but do not meet the ‘priority need’ test for local authority housing, and for those services supporting asylum seekers who are at risk of becoming homeless after a positive decision. It provides a brief overview of common issues and key steps to reduce the risk of homelessness. The Resources section contains links to specialist advice.

This guidance provides general information. If there are immigration issues outstanding, services should seek specialist legal advice from an OISC approved provider.

WHO IS A REFUGEE?
A refugee is a person who has made a claim for asylum under the 1951 Refugee Convention and been awarded refugee status by the Home Office. There are three types of status: refugee status, discretionary leave to remain and humanitarian protection. In this guidance ‘refugee’ and ‘refugee status’ are used to refer to all three categories. The three categories carry the same entitlements to welfare benefits and the right to work (unless discretionary leave is awarded with no recourse to public funds). The status is time limited and refugees must apply for indefinite leave to remain before this initial period of leave ends.

DIVERSITY IN HOMELESSNESS SERVICES
One of the challenges for homelessness agencies is engaging with asylum seekers and refugees in order to do prevention work before they present as sleeping rough. Thinking about the diversity of the service offered and taking steps to make it more accessible can help to engage this client group earlier. Steps can include:

- Offering information in the languages of the clients using the service or needing the service. Using Google Translate can help you to produce key messages in a range of languages. The Refugee Council has leaflets in a range of languages (see Resources).
- Advertising your service at local community groups and places of worship (e.g. churches, mandirs, mosques, gurdwaras and synagogues), in relevant languages.
- Recruiting volunteers and/or staff to ensure a representative mix of gender, nationality, ethnicity and spoken languages to reflect the client group. You could consider recruiting a small number of ad hoc volunteers who are available for translation as needed.
- Avoid assumptions based on nationality, and ensure the individual client identifies the support most appropriate for them, for example when finding relevant community groups.
- Consider holding separate sessions for women.

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1 The Home Office can award discretionary leave with no recourse to public funds. This status can be challenged.
2 Advisers must be regulated by the Office of the Immigration Services Commissioner (OISC).
3 Immigration was formerly the remit of UK Borders Agency (UKBA) which has been restructured within the Home Office.
4 Note that integration loans are only available to people with refugee status or humanitarian protection and see note 1 above.
5 However some clients, namely older ‘legacy’ cases, are awarded indefinite leave to remain at the time of the initial decision.
6 http://translate.google.com
SUPPORT BEFORE REFUGEE STATUS IS GRANTED

Asylum seekers with an asylum claim in process should have a Home Office Immigration (formerly UKBA) ‘case owner’ with whom they must remain in contact until status is granted. The case owner should be able to provide information and signposting to support services, although in practice this doesn’t always happen.

Support from the Home Office (formerly UKBA)

Most asylum seekers receive accommodation and financial support from the Home Office under Section 95 of the Immigration and Asylum Act 1999 (also known as NASS support as it used to be the National Asylum Support Service). Clients are usually dispersed away from London and the south-east to Home Office accommodation elsewhere in the UK. As a result, clients might not know anyone or have access to community groups where they live and can become isolated, especially if their English is limited.

Some asylum seekers are refused Section 95 support and become destitute as a result. Others will not be in Home Office accommodation because they have found alternative housing, such as staying with friends or family in order to remain in an area where they have a support network.

Preparing people for a positive decision

Services working with asylum seekers should help them to prepare for the process following a positive decision (as well as informing them of their options if refused). The timescale for Home Office Immigration to process an asylum claim varies, but a decision can be taken as rapidly as six weeks. This may mean that refugees have little opportunity to learn English and are at a very early stage of integration. As a result, there is a higher risk of homelessness and destitution due to people not knowing how to navigate the housing and welfare benefits process, and being without social networks. Providing information early, in accessible formats and languages, can reduce this risk.

There are common misconceptions among asylum seekers about the availability of social housing and a lack of awareness about councils’ eligibility criteria for housing. As a result, on receiving status some refugees travel to London or other cities expecting to find housing. There is a high risk they will end up sleeping rough or sofa surfing due to their lack of local connection or priority need status for social housing, and due to the difficulties in securing affordable private rented accommodation.

Services can help asylum seekers to make informed decisions by explaining housing options and local connection requirements. Clients should have information about the cost of rents (in particular regional variations and London rents), social housing allocation criteria (which are specific to each local authority), the process and timescale for claiming welfare benefits, and the use of reconnection policies should they travel to another area.

Before a decision has been received, homelessness services can support asylum seekers by providing information, in different formats and in translation, about:

- Housing options, including the private rented sector.
- Regional rent variations, local LHA caps and the Shared Accommodation Rate.
- Criteria for council housing, including local connection.

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8 Please refer to guidance on supporting clients with no recourse to public funds: [http://homeless.org.uk/effective-action/nrpf](http://homeless.org.uk/effective-action/nrpf)

9 Asylum seekers will only be accommodated in London by the Home Office if they are receiving medical treatment that cannot be delivered anywhere else or if their children are doing GCSEs. Local connection will be in the dispersal area.
- The process for claiming benefits.
- The 28-day notice period from Home Office support and the urgency of making housing and benefit applications.
- The potential for delays in benefits and housing, and possible contingency measures.
- Support services the client can access for support with housing, welfare benefits or other issues.

RECEIVING A POSITIVE DECISION

The decision to award refugee status is communicated in a ‘determination of asylum claim’ letter from the Home Office. There will also be a letter giving 28 days’ notice on the client’s Home Office accommodation and financial support. The decision letter will be accompanied, or followed shortly, by an Immigration Status Document (the client’s official identity and immigration document). If this is not received the client should contact their Home Office case owner (there should be telephone number on the decision letter) or the general enquiry line: 0300 123 2235. The decision letter should confirm the client’s National Insurance number (NINO) however it is common for this to be delayed.

Support agencies should note that Section 95 support should not end until individuals have their Immigration Status Document. If this document has not been produced and S95 accommodation is ending, advisers should always request an extension. In some cases the 28 day notice period can be enforced even if receipt of the decision letter is delayed or the letter is lost and advocacy may be needed. Asylum seekers should be supported to keep in regular contact with their solicitors in case documents are sent there.

Once a positive decision has been received, it is a matter of urgency for services to support refugees to:

- Support the application for a National Insurance number.
- Apply work or for benefits, through Jobcentre Plus.
- Make a homelessness application to the council where the individual has a local connection and/or get advice and assistance from the council.
- Look for private rented housing and/or apply for social housing.
- Make contingency plans in case there is a delay in getting benefits or finding housing (e.g. staying with friends or family, or subsistence support from food banks or charities).

Where status is awarded without recourse to public funds, it may be possible to challenge this restriction – seek legal advice. Also see [www.homeless.org.uk/effective-action/nrpf](http://www.homeless.org.uk/effective-action/nrpf)

INTERIM SUPPORT

Refugees often become destitute when the Home Office notice period ends, because 28 days is not long enough to find housing and establish a benefits claim or find work.

Support agencies should manage this risk by working with refugee clients to establish an interim means of support, alongside taking action to apply for housing, benefits etc. Options include:

- Advocating with the Home Office case owner or the housing provider to extend notice.

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10 In some cases refugees (in particular families) have been given more time to move out or are able to remain in the same accommodation and rent it as private tenants, but this will depend on where they are housed and who is contracted to manage that accommodation.
• Local welfare assistance schemes\textsuperscript{11} or discretionary JCP benefit payments while a claim is pending.
• Making a homelessness application to the council’s Housing Options team.
• The client asking friends and family for support.
• Spare room or hosting schemes run by charities, churches or community groups.
• Food banks.\textsuperscript{12}
• Day centres with basic facilities (food, showers, laundry).\textsuperscript{13}
• Night shelters.
• Applying to charities or community groups for grants and/or temporary accommodation.

**HOUSING**

The key point to remember is that the majority of refugees have the same housing entitlements as UK nationals.

**Gaps and issues**

The limited time to secure housing and benefits between receiving refugee status and having to leave Home Office accommodation is a common cause of homelessness among refugees.

It appears there are sometimes problems with information sharing and signposting from Home Office case owners, so that when clients receive refugee status they are not always aware of their entitlements, the process for finding housing and support, and who can help them. There can be misconceptions among refugees about the availability of social housing and a lack of awareness about local authority eligibility criteria for housing.

It is common for refugees to move from dispersal areas to where they have friends, family or community groups, and this can result in rough sleeping or hidden homelessness. On receiving status some refugees travel to London or other cities to find housing and there is a high risk they will end up sleeping rough due to their lack of local connection or priority need status, and due to the difficulties in securing affordable private rented accommodation.

**Solutions**

Services can help refugees to make informed decisions by explaining their housing options and local connection requirements. Clients should be given information about the cost of rents (in particular regional variations and London rents), social housing allocation criteria, the process and timescale for claiming welfare benefits, and the use of reconnection policies should they travel to another area.

1. **Likely housing options:** Agencies should be clear that move-on will usually be into private rented accommodation or, in some areas, social housing. Refugees can be referred into hostels, however the support needs of this client group are often assessed as low/medium and so a successful referral to supported accommodation is unlikely (see below for more on support needs). In some areas there are specialist refugee housing projects, but cuts have reduced the number of bed spaces for this client group.

\textsuperscript{11} Local Welfare Assistance replaced Crisis Loans. Each local authority has a different type of scheme. Many do not give emergency loans in cash or have eligibility criteria including local connection that may put refugees at a disadvantage. Search the local council website for details. At the time of writing it appears money from central government for local welfare assistance schemes could end in 2015.

\textsuperscript{12} The Trussell Trust maintains a map of food banks in the UK: \url{http://g.co/maps/5dqew}

\textsuperscript{13} Search for local services on \url{www.homelessuk.org}
2. **The cost of private rented accommodation**: Support refugees to research the cost of rented accommodation locally and in areas they may have plans to move to.\(^\text{14}\)

3. **Local Housing Allowance/Housing Benefit rates**: Inform refugees that the level of housing benefit they are entitled to and the type of property they can rent varies according to the area and their age. The level of Housing Benefit for private sector tenancies is called Local Housing Allowance (LHA). They can access information on the gov.uk website: [www.gov.uk/housing-benefit](http://www.gov.uk/housing-benefit) and use an online calculator: [www.entitledto.co.uk/calculator/?utm_source=BAviser&utm_medium=referral&utm_campaign=GovUK](http://www.entitledto.co.uk/calculator/?utm_source=BAviser&utm_medium=referral&utm_campaign=GovUK)
   The Shared Accommodation Rate (SAR) is the level of housing benefit that applies to single people in the private rented sector who are aged 34 years and under. Housing Benefit is limited to a fixed rent for a room in a shared property. This limit will vary depending on where the claimant lives, based on the level of local rents for shared properties. Single people under 34 years should expect to share a property if they claim Housing Benefit. There are some exceptions from SAR for those aged 25-34.\(^\text{15}\)

4. **Finding private rented accommodation**: The local authority where the refugee has a local connection should provide advice and assistance on housing options including accessing private rented sector accommodation. This may include a list of local agents or landlords that will take people on a low income or on Housing Benefit, use of a phone or internet and in some cases a bond to cover the deposit. They may also refer to a private rented scheme operated by a voluntary sector organisation. Crisis publishes a list of private rented schemes: [www.crisis.org.uk/find-pr-scheme.php](http://www.crisis.org.uk/find-pr-scheme.php)

5. **Deposits and rent in advance**: Integration loans (see below) are available to clients granted refugee status or humanitarian protection and can be used for rent deposits. A small number of local authorities offer help with deposits or rent in advance as part of their local welfare assistance scheme but this varies between areas and, at the time of writing, it is unclear whether these schemes will continue to be funded.

6. **Short-term contingency planning**: Where a service has worked with the client before they receive status, it is advisable to put a short term housing contingency plan in place. This could be friends, family, community or church groups, hosting networks or night shelters. It is worth asking the Home Office accommodation provider if an extension is possible to avoid the client becoming homeless. In some cases refugees have been able to stay in the accommodation as private rented tenants, although this seems more likely for families than individuals.

**Local connection for refugees**

Living in Home Office accommodation under Section 95 creates a local connection for the client in that local authority, unless they are dispersed to Scotland. If the client has been dispersed to more than one location, local connection applies to the most recent local authority.\(^\text{16}\)

For services working with refugees who have moved away from their dispersal area, housing advice is likely to focus on reconnection, especially for access to social housing or supported accommodation, such as a hostel. Where a refugee has been dispersed to an area where they have no social network, there may be a strong incentive for them to move to the place where they have friends, family or community connections. In this case support to access private rented accommodation could be the most appropriate option.

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\(^{\text{14}}\) There are a number of websites that allow basic rental price searches, such as: [www.zoopla.co.uk](http://www.zoopla.co.uk)

\(^{\text{15}}\) Full information about the Shared Accommodation Rate can be found here: [http://homeless.org.uk/shared-accommodation-rate-FAQ](http://homeless.org.uk/shared-accommodation-rate-FAQ)

\(^{\text{16}}\) For further details see: [http://www.housing-rights.info/03_2_Refugees.html](http://www.housing-rights.info/03_2_Refugees.html)
Approaching a local authority Housing Options service

Homelessness legislation places a general duty on local authorities to ensure that advice and information about homelessness, and preventing homelessness, is available to everyone. Local authorities have a duty to accommodate certain categories of household, such as families with children and households that include someone who is vulnerable, if they meet set criteria.\(^\text{17}\) It is important to note that being a refugee does not automatically qualify someone as vulnerable or in priority need. However, it is worth noting that the Homelessness Code of Guidance\(^\text{18}\) does advise local authorities to consider that someone may be vulnerable as a result of having “experienced persecution or trauma in their country of origin or severe hardship in their efforts to reach the UK.” However, it is important to be clear when advising people that most single homeless people are not owed a duty.

Regardless of whether the homelessness duty is owed, local authorities still have a duty to provide homeless people with advice and assistance to help them find accommodation for themselves. This should include a full and comprehensive assessment of their housing needs. Such advice and assistance has potential to prevent homelessness, including rough sleeping. Agencies supporting people to access their local authority may find that accompanying people, providing advocacy at the Housing Options appointment and arranging translation (the local authority should be able to arrange for an interpreter to assist, but use of friends or voluntary agencies can speed up the process) means that the advice and assistance will be better understood by the new refugee. Building a relationship with the local Housing Options Team is strongly recommended.

Housing checklist

In summary, homelessness and support services can:

- Refer refugees to local authorities or other social housing, as with UK nationals.
- Support refugees to access the private rented sector, as with UK nationals.
- Support clients with refugee status or humanitarian protection to apply for an integration loan to use as rent deposit or for household items.
- Translate information on people’s housing options into relevant languages (written and verbal) and advocate and translate for people with other services.
- Manage clients’ expectations by explaining the eligibility criteria for council housing; the impact of the Shared Accommodation Rate; local caps on Local Housing Allowance; and the type of private rented accommodation available locally.
- Explain the consequences of refusing housing offers where there is a limited offer policy in place.
- Be proactive in ‘myth busting’, for example to address the perception that rough sleeping in urban areas is a shortcut to social housing.
- Offer pre-tenancy training to asylum seekers and refugees e.g. on bills, budgeting, tenants’ rights and responsibilities.
- Make contingency plans with the client, for example referring into spare room, hosting or night shelter schemes, as well as extensions to Home Office accommodation.

\(^{17}\) For details see Shelter: [http://england.shelter.org.uk/get_advice/homelessness/help_from_the_council_when_homeless/the_councils_decision](http://england.shelter.org.uk/get_advice/homelessness/help_from_the_council_when_homeless/the_councils_decision)

WELFARE BENEFITS

Once refugee status is granted, the client should apply for welfare benefits immediately as Home Office support will end within 28 days.

The client should telephone Jobcentre Plus (JCP) to start the claim for benefits and make an appointment at the local JCP office. JCP should be able to arrange for an interpreter to assist with the application process on request, but clients often use friends or voluntary agencies instead to speed up the process.

When the client attends Jobcentre Plus they must take their Immigration Status Document, NINO letter (if received) and a NASS35 form or letter summarising Section 4 support if they have received Home Office asylum support payments. If the client is waiting for their Immigration Status Document or NASS35, they should still start their benefit claim straight away.

Where a NINO is applied for but not yet received, this should not delay the claim for benefits\(^\text{19}\), however in practice it can extend the process.

Refugees are exempt from the Habitual Residence Test.

Refugees can claim the same benefits as any UK national but there may be additional entitlements. For example, refugees who have been in the UK for less than 12 months and are studying English at college for 15 hours or more per week are entitled to claim Income Support for 9 months before switching to Job Seeker’s Allowance.\(^\text{20}\) Specialist welfare benefits advice should be sought, for example from JCP or Citizens Advice, to check these entitlements.

Welfare benefits checklist

Homelessness and support agencies can:

- Support clients to call Jobcentre Plus as a matter of urgency on receiving status.
- Help to arrange interpreters.
- Arrange for a support worker or other advocate to support the client at JCP, particularly around issues such as using a temporary NINO and exemption from the Habitual Residence Test.
- Ensure the client takes relevant documentation to start their claim or takes it to JCP once received (Immigration Status Document, NINO letter, NASS35 or Section 4 letter).
- Support the client to open a bank, credit union or Post Office card account (the Immigration Status Document is photographic proof of identity).
- Support the client to follow up their benefit claim.
- Ensure the client understands the conditionality of their benefit and support them to meet these conditions e.g. job searches, updating CVs, attending work placements or courses.

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\(^\text{19}\) Social Security Administration Act 1992, Section 1

EMPLOYMENT

Refugees have the same right to work as UK nationals and do not need a work permit. Homelessness and support agencies can:

- Signpost refugees to the National Academic Recognition Information Centre (NARIC) for help getting the British equivalents of qualifications: www.naric.org.uk
- Signpost refugees to ESOL courses through JCP or local colleges.
- Provide, or signpost to, information about employment rights, the National Minimum Wage, paying tax, National Insurance and in-work benefits. www.gov.uk is a good place to start.
- Support refugees with writing CVs, job searches and interview preparation.
- Provide access and support to use a computer and have internet access, including support to set up an email address.

Integration loans

Refugees with refugee status or humanitarian protection can apply for integration loans. These are interest-free loans for items or activities that support integration, for example in relation to housing, employment or education, and can be used for rent deposits. Refugees should receive details of the loans with their decision letter. Forms and guidance can be found here: www.gov.uk/refugee-integration-loan

OTHER FORMS OF SUPPORT

Refugees come from a range of backgrounds and will have varying levels of English language skills, education and employment histories. Support services should assess the needs of the individual in order to provide the right kind of support. For those clients who have not been living in the UK for long or who have not had their own accommodation, practical life skills might be most relevant e.g. tenancy rights and responsibilities, bills, budgeting and access to healthcare. For others, the support might focus on getting UK equivalents of qualifications or professional references in order to find work. ESOL courses are often a priority. A client-focused needs assessment, using translators as needed, is essential to establish what type of support is appropriate.

For clients who are new to an area, an introduction or orientation can be useful. A tour of local shops, markets, libraries, leisure centres and transport links is a simple but effective form of support and integration.

Refugees are often assessed as low/medium support and as a result they may not meet the criteria for supported accommodation projects. However, as well as practical support needs around integration, language and employment, refugees may have hidden support needs, for example mental health issues relating to post-traumatic stress and bereavement. Information about support services should be offered to all clients, regardless of whether a mental health support need has been disclosed, in order to reduce stigma and empower clients to seek support at a later date if needed.

Homelessness and support services can help refugee clients by:

- Promoting options for referral into floating support services.
- Ensuring clients have details of local mental health services, including self-help options such as websites.
- Advertising mental health services, with translated material.
Discussing mental health as a standard support issue with all clients, in the same way as physical health.

Offering signposting or referral to counselling or specialist services such as Freedom from Torture\textsuperscript{21} or the Helen Bamber Foundation\textsuperscript{22}.

Explaining how someone's GP can refer them to mental health services.

Helping clients to build social networks, which may include offering resources to find groups with a particular language, religion or culture.

\textsuperscript{21} Previously the Medical Foundation for Victims of Torture: www.freedomfromtorture.org

\textsuperscript{22} www.helenbamber.org
USEFUL LINKS AND RESOURCES

For a more comprehensive list of local specialist services, go to www.homelessuk.org and click on ‘Find a service’ in the menu at the top of the homepage, then click ‘Search all services’. Change Person to ‘Refugees and asylum seekers’ and choose an Area. Click the Area tab again to choose from a more local list.

*Homeless Link is not responsible for the content of external websites.*

British Red Cross: www.redcross.org.uk/What-we-do/Refugee-services/Our-services-for-refugees

Citizens Advice Bureau: www.citizensadvice.org.uk

Health Befriending Network: www.refugeecouncil.org.uk/hscvproject


Homeless London: www.homelesslondon.org

Housing Rights Information: http://www.housing-rights.info/index.php

Joint Council for the Welfare of Immigrants: www.jcwi.org.uk

Migrant Help: www.migranthelp.org

Refugee Action: www.refugee-action.org.uk

Refugee Council: www.refugeecouncil.org.uk

Shelter: www.shelter.org.uk