

Refugees and Asylum Seekers

Asylum seekers are people who want to stay in the United Kingdom. Refugees are people who have already been given permission to stay. Asylum seekers are not usually eligible for ESF support but refugees are

Until May 2003, if an application from an asylum seeker had not been dealt with within 6 months they were granted special status. This status enabled them to take paid employment whilst their application was being assessed and meant they could be supported by ESF.

From June 2003 these arrangements ceased. Those asylum seekers who already had permission to work were not affected as these arrangements were not retrospective

New asylum seekers cannot be ESF participants unless they were granted permission to work before June 2003. They may however be supported by pre-vocational projects (excluding vocational guidance) which might take the form of

- Initial English for speakers of other languages, other basic skills (literacy, numeracy and IT) where they are not part of provision designed to lead to employment
- Orientation provision to raise awareness of UK market needs, asylum seekers' rights and responsibilities
- Provision of information about further education and voluntary work in which they can take part
- General advice about life in Britain for those given leave to remain (information about law, culture, housing, welfare, health, education, and employment)
- Involvement in voluntary activity

The above categories of pre-vocational support may also be applied to failed (or refused) asylum seekers who would also be eligible for mainstream ESF support. Failed asylum seekers may only be supported in the following circumstances

- Where they have signed up to return home as soon as they can and are taking all reasonable steps to leave the UK and that they meet one of the following criteria
- Where they are unable to leave due to physical impediment to travel or other medical reasons
- If, in the opinion of the Secretary of State at the Home Office, there is no safe route of return for them
- If permission has been granted for Judicial Review, or
- If support is necessary to avoid a breach of ECHR- examples include outstanding further submissions or out of time appeals.