

## Asylum and studying

September 2007

### Who is this Information Sheet for?

This Information Sheet gives basic information about what it means to apply for asylum if you are already in the United Kingdom as a student. It also explains the rules on fees and Student Support for asylum seekers, refugees and people given other immigration leave as a result of an asylum application. If you fear for your safety on return to your home country and therefore need to apply for asylum it is very important that you quickly get information and specialist help from a reputable advice organisation or solicitor. Other organisations can also provide information about your rights to welfare benefits or other support, housing and employment during and after an application. Go to [More information and help](#) for details of some of these organisations.

### What is asylum?

The United Kingdom is obliged, under the UN Convention on Refugees 1951, to consider your claim that you cannot return to your country due to "a well-founded fear of persecution due to race, religion, nationality, political opinion or membership of a social group". The Home Office is the UK government department that handles asylum applications. Your case will be decided by the [Border and Immigration Agency](#), which is part of the Home Office. If this agency accepts you have such a fear you will be granted [refugee status](#) and allowed to remain in the UK.

If you do not meet the requirements for refugee status but the Home Office accepts there are strong humanitarian grounds for allowing you to remain in the UK, it may grant you either [Humanitarian Protection](#) or [Discretionary Leave](#) for a limited period of time. Since 1 April 2003 the Government has granted Humanitarian Protection and Discretionary Leave instead of the [Exceptional Leave](#) that it used to grant people in similar circumstances. While you are waiting for a Home Office decision about your asylum application, you are an [asylum seeker](#).

### Applying for asylum

Before making a claim for asylum, you should get advice from a solicitor who specialises in immigration work or from an organisation that deals with asylum applications, such as the [Refugee Legal Centre](#) or the [Immigration Advisory Service](#). You should be able to get good advice from these organisations, or from someone recommended by them, without having to pay.

It will be up to you (with the help of your adviser) to show why you have a well founded fear of persecution. You should also check whether you meet the immigration requirements to stay in the UK on any other basis, particularly if, on good advice, your asylum claim is not strong or you have little evidence to convince the Home Office of your claim.

If you are not granted asylum or other leave as a result of an asylum claim it is likely that you will be asked to leave the UK and may not therefore be able to complete your studies. A large proportion of asylum applications are refused and you have to think about the consequences of being refused, for you and your relatives, before you apply.

An application for asylum needs to be made as quickly as possible. If your application is based on a particular event in your home country, it is less likely to be accepted if it is not made soon after the event.

You may not be able to get the basic support and accommodation provided by the National Asylum Support Service unless you have made an application as quickly as possible. If you arrived in the UK as a child and on your own, the local authority should be supporting you. People who are given refugee status or other leave can claim welfare benefits.

Asylum seekers may be detained, or required to live in particular accommodation which may be in a different part of the country from where you have been studying.

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### Work, volunteering and vocational training

If you have been granted [refugee status](#), [Indefinite Leave](#), [Exceptional Leave](#), [Humanitarian Protection](#) or [Discretionary Leave](#), you can work in the UK without any restrictions.

If you are waiting for a decision about your application and you are an [asylum seeker](#), you are not allowed to work unless either:

- you have permission continuing from a previous immigration status, for example if you were in the UK with student immigration permission that allowed you to work and, before that permission expired, you applied for asylum; or
- you have applied for and been given permission to work by the Home Office.

Only the main asylum applicant (not family members) can request permission to work. You can apply for permission to work if you have waited for more than 12 months for an initial decision by the Home Office on your asylum claim, the delay in the Home Office's decision was not your fault and your claim for asylum is continuing, even if it is now at the appeal stage. Your solicitor, or the [Refugee Council](#) can give you more information about getting permission to work.

If you are an asylum seeker, you can do unpaid voluntary work without permission from the Home Office as long as the work does

not amount to paid or unpaid employment. The charity or voluntary organisation can give you money for your actual travelling costs and food expenses. If you receive support from the Home Office you may wish to inform your case owner or the [Asylum Support Customer Contact Centre](#) of your voluntary work to avoid any misunderstandings with regard to the voluntary work and expenses.

If you are an asylum seeker and you do not have permission to work, you can do a vocational course at college which includes an unpaid 'work placement' (where this is part of the course and is not paid employment). Again you may wish to inform the Home Office if you get support from them.

If your course includes a work placement, which provides a training allowance, you may need to obtain permission to work before you can undertake it. If you are supported by the Home Office, you must give them details of the allowance you receive so that your support can be reassessed.

The Home Office has said that when it assesses your support, it will not take into account any money you are given to repay your travelling expenses and to pay for your food. If you are an asylum seeker who is supported by the Home Office and you want to work or do voluntary work, you can find out more about what you need to do in [Asylum support policy bulletin 72](#), which is in the policy and law section of the website of the [Border and Immigration Agency](#).

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## Are you allowed to study?

### School education

Everyone who is under 16 years old, including asylum seekers and their children, has the right to attend school. However, the Government plans to offer education within accommodation centres to the children of asylum seeker families who have to live there.

If you are, or if your child is, over 16 years old, the head teacher can decide whether or not to give you a place, but if you are already attending school when you reach 16 you may continue until you are 18. 16-19 year olds may also study at sixth form colleges or colleges of further education. Organisations such as the [Refugee Council](#) can give you full information about rights to school education.

### Adult education

Everyone is allowed to study on higher and further education courses. You need to meet the entry requirements for the course you want to study, and you should check that you can afford the fees and your living costs. Go to [Are you eligible for 'home' fees and Student Support?](#) to see if you will be eligible to pay 'home' fees and get [Student Support](#). A few institutions may offer subsidised places to asylum seekers who are not entitled to 'home' fees. You can study full time or part time.

## What help can you get with your English language?

Many colleges offer free or low-cost English courses to some, but not all, [asylum seekers](#), [refugees](#) and people with [Indefinite Leave](#), [Humanitarian Protection](#), [Discretionary Leave](#) or [Exceptional Leave](#). You should find out from your local colleges about the courses they offer and what you need to show to be eligible for free courses. Your public library will probably have details of your local colleges. If there are no courses for refugees, you can join other English courses. Organisations, such as community groups, may also offer courses. If you have refugee status and you start an English course of at least 15 hours a week within a year of arriving in the UK, you might be able to claim welfare benefits for up to nine months while you are studying. See the UKCISA Information Sheet [Welfare benefits](#) for more information about this provision for refugees.

## Are your qualifications recognised in the UK?

The [National Academic Recognition Information Centre](#) (UK NARIC) can advise you about the value (equivalence) of qualifications from other countries. Responses to general enquiries and the advisory service are free but there is a standard charge of £47 if you need a written assessment of your academic qualifications in a [letter of comparability](#).

## Getting more qualifications in order to do a degree course

If you do not have the qualifications you need to do a degree course in the UK, you could do an access course. Access courses prepare you for studying at a higher level, and many colleges and universities offer them. You can find more information about access courses on the UCAS website at [www.ucas.com/ucc/access](http://www.ucas.com/ucc/access).

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## Are you eligible for 'home' fees and Student Support?

'Home' fees are lower than the fees institutions usually charge 'overseas' students. Student Support means the grants and loans to help you pay for your tuition fees and living costs. For more information about Student Support, go to [Explanation of some words used in this Information Sheet](#). For full information about who is entitled to 'home' fees in higher education, see the UKCISA Information Sheets about [tuition fees](#). For full information about who is entitled to Student Support in higher education, see the UKCISA Information Sheets about [Student Support](#). For Student Support, choose the Information Sheet for the country in the UK where you normally live, even if you are studying somewhere else.

### You are an asylum seeker in higher education

[Higher education](#) includes HNC and HND courses and degree courses. A college or university in England, Wales or Northern Ireland will usually charge you the 'overseas' fee for a higher education course, even if you have been resident in the UK for three

years. This is because you are not covered by the categories of student in the fees regulations who must be charged 'home' fees. Asylum seekers in higher education in England, Wales and Northern Ireland are not eligible for Student Support either.

In Scotland, however, you are entitled to 'home' fees and your fees will be paid for you if you meet all the following requirements:

- you are the child of an asylum seeker, or you are an unaccompanied asylum-seeking child
- you are resident in Scotland at the start of your course
- you have been resident in Scotland for the three-year period before your course starts
- you applied for asylum, or your parent(s) applied for asylum, before 1 December 2006 and you were under 18 years old at the time
- you are under 25 at the start of your course

This is a new provision that came into force on 1 December 2007. If you meet these requirements, your fees will be paid for you, but you will not be entitled to a loan or grants to pay for your living costs.

Institutions may on an individual basis reduce fees for asylum seekers perhaps for particular courses or for part time study. You can check with individual institutions whether they have any special provisions that might help you. You can find more information about funding your studies in the section [What to do if you cannot get Student Support](#).

### **You are an asylum seeker in further education**

**Further education** courses include English courses. Funding for your course depends on where you live.

#### **England**

In England, you can study on free or cheap further education courses if you are 16, 17 or 18 years old. You will also be able to apply for Learner Support Funds. If you are over 18, and you are starting a course on or after 1 August 2007, you have to show your college that either:

- you have applied for asylum and you have been waiting for over six months for the Home Office to make a decision about your claim; or
- you have been refused asylum in the UK but you have been granted support under section 4 of the Immigration and Asylum Act 1999. You should have a letter that says you have been granted this support.

If you are over 18, you will not be entitled to Learner Support Funds.

For full information about who is entitled to 'home' fees and free courses in further education in England, see the [Learning and Skills Council's](#) guidance - details are in [More information and help](#).

#### **Northern Ireland**

In Northern Ireland, you can study on free or cheap further education courses if:

- you have applied for asylum and you have been waiting for over six months for the Home Office to make a decision about your claim; or
- you have been refused asylum in the UK but you have been granted support under section 4 of the Immigration and Asylum Act 1999. You should have a letter that says you have been granted this support.

For full information about who is entitled to 'home' fees and free courses in further education in Northern Ireland, see [Further Education Residence Requirements](#) (Circular FE 06/07) on the DELNI website at [www.delni.gov.uk](http://www.delni.gov.uk) (choose Publications and then search by title).

#### **Wales**

In Wales, you can study on free or cheap further education courses if you are an asylum seeker or the dependant (family member) of an asylum seeker and you get means tested welfare benefits (this now applies to very few asylum seekers) or you are supported by Social Services or the Home Office.

#### **Scotland**

If you are an asylum seeker living in Scotland, or the dependant (family member) of an asylum seeker living in Scotland, you can study free or get 'home' fees on the following types of course:

- full time or part time ESOL (English for Speakers of Other Languages) courses
- part time advanced and non-advanced courses.

From 1 December 2007, your fees will also be paid for you if you meet all the following requirements:

- you are the child of an asylum seeker, or you are an unaccompanied asylum-seeking child
- you are resident in Scotland at the start of your course
- you have been resident in Scotland for the three-year period before your course starts
- you applied for asylum, or your parent(s) applied for asylum, before 1 December 2006 and you were under 18 years old at the time
- you are under 25 at the start of your course.

If you are eligible for free or cheap courses, you can also apply for FE hardship funds from your college if you meet all eligibility criteria - ask your college for details.

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### You are a refugee in further or higher education

If you are granted **refugee status** in the UK, you are entitled to 'home' fees in **further education** and **higher education**. You are also entitled to **Student Support** to help you pay your tuition fees and your living costs.

If you started studying as an 'overseas' fee payer, but now you have been granted refugee status, you should tell your college or university and show them evidence that you have been granted refugee status. They must then charge you the 'home' fee rate for the next year of your course. You can also apply for Student Support. If you are granted refugee status within three months of the start of the first term or semester of your higher education course, you can apply for help with paying your tuition fees. You can apply for help with your living costs at any time during the academic year, as long as you apply within nine months of being granted refugee status (if you are applying in England, Wales or Northern Ireland) or by one of the deadlines set by the **Students Awards Agency for Scotland**.

### You are a refugee's family member in higher education

You can be eligible for 'home' fees and **Student Support** if you are the spouse, **civil partner** or child (including step-child) of someone granted **refugee status**. The institution will want to see evidence of your family member's refugee status and of your relationship with the refugee, for example, a birth certificate or a marriage or civil partnership certificate. This is all you need to show in order to be eligible for 'home' fees and Student Support if you are doing a higher education course in Scotland.

If you want to pay 'home' fees and apply for Student Support for a higher education course in England, Northern Ireland or Wales, you must also be able to show that you were a family member of the person who is granted refugee status on the day when that person applied for asylum. If you are the child of a refugee, you must also have been under 18 years old on the date of the asylum application. If your parent is married to, or in a civil partnership with, the refugee in your family, your parent must have been married to, or in a civil partnership with, the refugee on the date of the asylum application.

### You are a refugee's family member in further education

You can be eligible for 'home' fees and **Student Support** if you are the spouse, **civil partner** or child (including step-child) of someone granted **refugee status**. The institution will want to see evidence of your family member's refugee status and of your relationship with the refugee, for example, a birth certificate, marriage or civil partnership certificate. This is all you need to show in order to be eligible for 'home' fees and Student Support if you are doing a further education course anywhere in the UK.

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## You are not granted refugee status, but you are allowed to stay in the UK

### Higher education

If you make an application for asylum and the Home Office tells you that you do not qualify for recognition as a **refugee** but you are allowed to stay in the UK, a college or university must charge you the lower 'home' fee. In most cases, you will have been granted **Humanitarian Protection, Discretionary Leave, Exceptional Leave** or, in some cases, **Indefinite Leave**. If you have already started studying at the 'overseas' rate, the institution must charge you the 'home' rate at the start of the next academic year. The institution will want to see a letter from the Home Office that proves that you made an application for asylum, that you were not granted refugee status, but that you are allowed to remain in the UK (and not just to appeal against the refusal).

In England, Wales and Northern Ireland, you are entitled to **Student Support** for a higher education course if you have also been 'ordinarily resident' in the UK and Islands (Channel Islands and the Isle of Man) for three years before you start your course. If you are applying for Student Support in Scotland (because you normally live there, even if you are not going to study there), this three-year ordinary residence period is not a requirement.

### Further education

If you are studying a **further education** course, you are eligible for 'home' fees or free courses. You may also be eligible for **Student Support**.

### You are the spouse, civil partner or child of someone who is not granted refugee status, but who is allowed to stay in the UK

You are entitled to 'home' fees and **Student Support** in both **further education** and **higher education** in the same way as your family member who was granted permission to stay in the UK following a claim for asylum. For more information about this, go the section of this Information Sheet **You are not granted refugee status, but you are allowed to stay in the UK**. In England, Wales

and Northern Ireland, you must also be able to show that you were the spouse or **civil partner**, or the child (and aged under 18) of this person on the date on which he or she applied for asylum.

### You have Indefinite Leave under the one-off exercise for asylum seeking families

If you have been granted **Indefinite Leave** under the one-off exercise for families who applied for asylum before 2 October 2000, you should be treated in the same way as those who apply for asylum and who are not granted refugee status, but are allowed to stay in the UK. If you are a student who has been granted Indefinite Leave, see the section of this Information Sheet: **You are not granted refugee status, but you are allowed to stay in the UK**. If you are the spouse, **civil partner** or child of such a person, see the section of this Information Sheet: **You are the spouse, civil partner or child of someone who is not granted refugee status, but who is allowed to stay in the UK**.

### You have come to the UK under the Gateway Protection Programme

If you have been given **refugee status** under the **Gateway Protection Programme**, see the section of this Information Sheet: **You are a refugee in further or higher education**. If you are the family member of someone who entered the UK under the Gateway Protection Programme and who has refugee status, see the sections of the Information Sheet: **You are a refugee's family member in higher education** and **You are a refugee's family member in further education**.

If you have been granted **Indefinite Leave**, but not **refugee status**, you should be treated in the same way as a person who has applied for asylum, and who has been refused refugee status but allowed to remain in the UK. For information about what this means for you, see these sections of this Information Sheet: **You are not granted refugee status, but you are allowed to stay in the UK** and **You are the spouse, civil partner or child of someone who is not granted refugee status, but who is allowed to stay in the UK**. If you need confirmation of this, it is in a publication called **Student Finance Update January 2006**, which is available on the website of the Department for Children, Families and Schools at [www.dcsf.gov.uk](http://www.dcsf.gov.uk) and go to the section 'Information for local authorities' and then 'Higher Education'.

In addition, if you are studying a **further education** course in England or Northern Ireland, you can be entitled to 'home' fees or free courses and financial support as a person who has recently settled in the UK.

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## What to do if you have been refused Student Support for your degree course

1. Check that you are definitely entitled to Student Support:
  - ask an adviser at your college or university, or [contact us](#)
  - read the Government regulations that set out the categories of student who are entitled to Student Support:
    - if you are applying in England, these regulations are **The Education (Student Support) Regulations 2007** (in particular, see Schedule 2 Part 2 paragraphs 4 and 5)
    - if you are applying in Wales, the regulations are **The Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2007** (in particular, see Schedule 1 Part 2 paragraphs 4 and 5)
    - if you are applying in Northern Ireland, the regulations are **The Education (Student Support) Regulations (Northern Ireland) 2007** (in particular, see Schedule 2 Part 2 paragraphs 4 and 5)
    - if you are applying in Scotland, the regulations are **The Students' Allowances (Scotland) Regulations 2007** and **The Education (Student Loans) (Scotland) Regulations 2007** (in particular, see Schedule 1 paragraphs 5 and 6).
2. Check the reasons for the refusal. Make sure that you focus your arguments on those reasons, and show why they are wrong. Use the regulations to help you do this. For example:
  - in England, Wales and Northern Ireland, if you are applying as the family member of someone with refugee status, Humanitarian Protection, Discretionary Leave or Exceptional Leave, you have to show that you were the family member of that person on the date of the asylum application. The regulations do not say that you had to be included on the original asylum application, but if you were included on the application, provide evidence of that. If you joined your family member in the UK after that date, show, for example, a marriage certificate or birth certificate, letters from the Home Office that show you were entitled to family reunion because you were an existing family member or a letter from your solicitor confirming that you were allowed entry to the UK on that basis
  - the regulations for **England, Wales** and **Northern Ireland** say that you, or your family member, must have permission to be in the UK that has not expired. It is not a problem if the permission has come to an end, and you are appealing against a refusal to extend it. However, if your permission has come to an end and you have applied to extend it, or you have applied for some other status, for example, Indefinite Leave, but you have not yet had a decision from the Home Office when you apply for Student Support, you might be refused. This is because the regulations do not make it clear that you should be treated in the same way as someone who continues to have immigration permission to be in the UK, as long as you made your immigration application before your previous permission expired. The Department for Innovation, Universities and Skills has published guidance about this for local authorities, telling them that you should be treated in the same way as someone whose permission has not expired. The same principle applies in Wales and Northern Ireland. You can find this guidance at [http://www.dfes.gov.uk/studentssupport/administrators/dsp\\_section\\_112.shtml](http://www.dfes.gov.uk/studentssupport/administrators/dsp_section_112.shtml) (select Assessing Eligibility Guidance and go to paragraphs 91-94).
3. Make sure that you follow any complaints procedures set out in the Student Support information for **England, Wales** or **Northern Ireland** or on the website of the **Student Awards Agency for Scotland**.
4. If you are still not happy with the decision, consider seeking legal advice from a **solicitor** specialising in education law.

## What to do if you are not eligible for Student Support

You might be able to apply for a grant from a charity or some other sponsor. It is difficult to get financial help in this way but some

organisations have funds for supporting students who are asylum seekers or refugees. There are several directories available in reference libraries which list possible sources of finance, though it is usually best to get advice from the Students' Union or your institution. For further information about funding opportunities, contact [Education Action International](#) or see the Information Sheet [Financial hardship](#).

If you have [refugee status](#), [Indefinite Leave](#), [Humanitarian Protection](#), [Discretionary Leave](#) or [Exceptional Leave](#), check with an adviser on whether you can claim welfare benefits and see the UKCISA Information Sheet, [Welfare Benefits](#).

If you are alone in the UK and a local authority has been looking after you, the local authority might continue to have a duty to support you after you turn 18. If this is the case, the local authority should help you with your educational, training and employment needs. It may also have a duty to help you with accommodation during the summer holidays.

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## Explanation of some words used in this Information Sheet

### Asylum seeker

You are an asylum seeker if you have applied for asylum in the UK under the UN Convention on Refugees 1951 and you are waiting for the Home Office to make a decision in your case, or the Home Office has refused to grant you asylum and you are appealing against that decision.

If the Home Office decides to grant you [refugee status](#), [Discretionary Leave](#), [Humanitarian Protection](#), [Exceptional Leave](#) or [Indefinite Leave](#), you are no longer called an asylum seeker.

### Civil partner

Your civil partner is your same-sex partner with whom you have either registered a civil partnership in the UK, or entered into a similar form of legally recognized relationship in a different country. For details of partnerships in countries outside the UK that are regarded in the same way as civil partnerships, see the website of the UK Lesbian and Gay Immigration Group at [www.uklgig.org.uk/Civil%20Partnership.htm](http://www.uklgig.org.uk/Civil%20Partnership.htm). In relation to immigration, and most other matters, a civil partner should be treated in the same way as a spouse.

### Discretionary Leave (DL)

If you apply for asylum in the UK and the UK Government considers that you are not entitled to refugee status under the UN Convention on Refugees 1951, but decides that you cannot return to another country, you might be granted Discretionary Leave. You will usually be given permission to stay in the UK for three years, or until your 18th birthday. You might be able to apply for [Indefinite Leave](#) after six years. You can work and claim benefits.

If you need to travel outside the UK and you cannot obtain a passport from your country of nationality, you can apply to the Home Office for a certificate of identity, which will be called a certificate of travel. For more information about this travel document, see the Border and Immigration Agency website at [www.bia.homeoffice.gov.uk/ukresidency/traveldocuments](http://www.bia.homeoffice.gov.uk/ukresidency/traveldocuments).

You can find more information about Discretionary Leave in the Home Office asylum policy instructions for caseworkers on the Border and Immigration Agency website at [www.bia.gov.uk/sitecontent/documents/asylumpolicyinstructions](http://www.bia.gov.uk/sitecontent/documents/asylumpolicyinstructions).

### Exceptional Leave

Until 1 April 2003, if you applied for asylum in the UK and the UK Government considered that you were not entitled to refugee status under the UN Convention on Refugees 1951, but decided that you could not return to another country, you might have been granted Exceptional Leave to enter or remain. From 1 April 2003, this status was replaced by [Humanitarian Protection](#) and [Discretionary Leave](#). Exceptional Leave was usually granted for four years, after which you could apply for [Indefinite Leave](#). If you have Exceptional Leave, you can work and claim benefits.

If you need to travel outside the UK and you cannot obtain a passport from your country of nationality, you can apply to the Home Office for a certificate of identity, which will be called a certificate of travel. For more information about this travel document, see the Border and Immigration Agency website at [www.bia.homeoffice.gov.uk/ukresidency/traveldocuments](http://www.bia.homeoffice.gov.uk/ukresidency/traveldocuments)

### Further education (FE)

Further education, or FE, is education for people who are 16 years old or over which is below degree level. It includes:

- academic courses, including GCSE, AS and A levels and Scottish highers
- work related courses, eg National or Scottish Vocational Qualifications (NVQs or SVQs)
- basic skills courses, including English language, literacy and numeracy
- courses that do not lead to a formal qualification
- Access courses
- continuing or adult education courses.

You can study further education courses at school, in further education colleges and at home through distance learning. You usually need to have some further education qualifications if you want to progress to a [higher education](#) course.

### Gateway Protection Programme

The Home Office accepts for resettlement in the UK a quota of people chosen from those recommended by the UNHCR. Some people are given [refugee status](#) in the UK and all are given [Indefinite Leave](#). See [You have come to the UK under the Gateway Protection Programme](#) for information about your eligibility for home fees and Student Support if you came to the UK under this programme, or if you are the family member of such a person.

## Higher education (HE)

Higher education includes the following courses:

- National Vocational Qualifications (NVQ 4 or 5) which are linked to a degree, a Diploma of Higher Education (DipHE) or other job-related courses such as a Diploma in Social Work (DipSW)
- most foundation degrees
- Higher National Diplomas (HND) and Higher National Certificates (HNC)
- undergraduate degrees (for example, Bachelor's degrees including BA, BSc, BEng, BDS, LLB, and undergraduate Master's degrees, including MSci, MPharm)
- postgraduate qualifications, for example Master's degrees, postgraduate certificates and diplomas, PhDs.

You can study higher education courses at college and university, and also at home through distance learning. You usually need to have some **further education** qualifications in order to get a place on a higher education course.

## Humanitarian Protection

If you apply for asylum in the UK and the UK Government considers that you are not entitled to **refugee status** under the UN Convention on Refugees 1951, but decides that you cannot return to another country, you might be granted Humanitarian Protection. You are usually granted permission to be in the UK for five years, after which you can apply for **Indefinite Leave**. You can work and claim benefits. If you need to travel outside the UK and you cannot obtain a passport from your country of nationality, you can apply to the Home Office for a certificate of identity, which will be called a certificate of travel. For more information about this travel document, see the Border and Immigration Agency website at [www.bia.homeoffice.gov.uk/ukresidency/traveldocuments](http://www.bia.homeoffice.gov.uk/ukresidency/traveldocuments).

You can find more information about Humanitarian Protection in the Home Office asylum policy instructions for caseworkers on the Border and Immigration Agency website at [www.bia.gov.uk/sitecontent/documents/asylumpolicyinstructions](http://www.bia.gov.uk/sitecontent/documents/asylumpolicyinstructions).

## Indefinite Leave

Indefinite Leave to Enter or Remain is also known as 'settlement' or 'permanent residence'. You can obtain Indefinite Leave in many different ways, for example:

- you can apply for Indefinite Leave after you have been in the UK for five years with **refugee status** or with **Humanitarian Protection**
- if you were granted refugee status before 30 August 2005, you were probably granted Indefinite Leave at the same time
- if you were given permission to stay in the UK under the one-off exercise for families who applied for asylum before 2 October 2000, you were granted Indefinite Leave
- if you are joining a family member who has Indefinite Leave, you may also be granted Indefinite Leave

If you are applying for Indefinite Leave on or after 2 April 2007, you need to pass a test about knowledge of language and life in the UK. For more information about this, see the general caseworking section of the Border and Immigration Agency website at [www.bia.homeoffice.gov.uk/ukresidency/Applyingforsettlement](http://www.bia.homeoffice.gov.uk/ukresidency/Applyingforsettlement). If you have Indefinite Leave, you can work and claim benefits. You can also apply for British citizenship. For more information about applying for British citizenship, see the nationality section of the Border and Immigration Agency website at [www.bia.homeoffice.gov.uk/britishcitizenship](http://www.bia.homeoffice.gov.uk/britishcitizenship).

## Refugee status

The UK Government will grant you refugee status if it accepts that you qualify for asylum under the UN Convention on Refugees 1951. If you were granted refugee status before 30 August 2005, you would normally have been granted **Indefinite Leave** at the same time. From 30 August 2005, refugees are granted five years' limited leave to enter or remain in the UK, after which it is possible to apply for Indefinite Leave. If you have refugee status, you are able to work and to claim benefits.

If you need to travel outside the UK, you can apply for a UN travel document from the Home Office. You can find more information about travel documents from the applying section of the Border and Immigration Agency website at [www.bia.homeoffice.gov.uk/ukresidency/traveldocuments](http://www.bia.homeoffice.gov.uk/ukresidency/traveldocuments).

You can find more information about refugee status in the Home Office asylum policy instructions for caseworkers on the Border and Immigration Agency website at [www.bia.gov.uk/sitecontent/documents/asylumpolicyinstructions](http://www.bia.gov.uk/sitecontent/documents/asylumpolicyinstructions).

## Student Support

Student Support is money that the UK Government gives or lends you to help you pay for your tuition fees and your living costs while you are studying. It includes the student loan, tuition fee loan, and grants if, for example, you are disabled or have children or other family members who depend on you financially. For more information about Student Support in **higher education**, see the UKCISA Information Sheets about **Student Support**. Choose the Information Sheet for the country in the UK where you normally live, even if you are studying somewhere else. For other sources of information about financial support in further and higher education, go to **More information and help**.

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## More information and help

### Refugee Council

Contact the Refugee Council advice line for information on all aspects of asylum and immigration matters, including welfare benefits, family reunion, identity and travel documents, education and training, housing legal issues and information about

refugee community organisations.

The Head Office is in London, but the Refugee Council has offices throughout the country. For details of where to find the Refugee Council's offices and about how it can help you, go to the website at [www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk) or call the head office on 020 7346 6700.

### **Refugee Council Children's Panel**

The Panel provides specialist advice to unaccompanied children who have claimed asylum. The service is based in London but its advisers travel around the UK. It has information for children in a number of languages on the Refugee Council website at [www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk)

### **Scottish Refugee Council**

The Scottish Refugee Council has offices in Edinburgh and Glasgow  
For contact details, see its website at [www.scottishrefugeecouncil.org.uk](http://www.scottishrefugeecouncil.org.uk) or call 0800 085 6087.

### **Welsh Refugee Council**

The Welsh Refugee Council is based in Cardiff.  
Telephone: 029 2048 9800  
Fax: 029 2043 2980  
Email: [info@welshrefugeecouncil.org](mailto:info@welshrefugeecouncil.org)  
Website: [www.welshrefugeecouncil.org](http://www.welshrefugeecouncil.org).

### **Refugee Legal Centre**

The Refugee Legal Centre provides legal advice and representation for those seeking protection under international and national Human Rights asylum law. It has offices throughout England. For details of the services offered by all its offices, see the website at [www.refugee-legal-centre.org.uk](http://www.refugee-legal-centre.org.uk) or contact the Central London office:

153-157 Commercial Road  
London E1 2DA  
Telephone: 020 7780 3200  
Fax: 020 7780 3201

### **Asylum Aid**

Asylum Aid gives free legal advice about claiming asylum and, in some cases, legal representation. You must telephone to make an appointment first if you want to see someone to discuss your matter.

Club Union House  
253-254 Upper Street London N1 1RY  
Telephone: 020 7354 9631  
Fax: 020 7354 5620  
Telephone advice: 020 7354 9264  
Website: [www.asylumaid.org.uk](http://www.asylumaid.org.uk).

### **Education Action International**

Education Action International offers information, advice and guidance on education, training and employment for refugees, asylum seekers and those with other leave granted as a result of an asylum application.

14 Dufferin Street  
London EC1Y 8PD  
Telephone: 020 7426 5800  
Advice line: 020 7426 5801  
Website: [www.education-action.org/advice](http://www.education-action.org/advice).

### **Immigration Advisory Service**

The Immigration and Advisory Service provides information, advice, and legal representation in some cases, in a wide range of immigration and asylum cases. It has offices throughout the UK. You can find out more from its website at [www.iasuk.org](http://www.iasuk.org) or by calling its head office in London on 020 7967 1200.

### **Joint Council for the Welfare of Immigrants (JCWI)**

The JCWI offers free legal advice on immigration, nationality and asylum matters.

115 Old Street  
London EC1V 9RT  
Telephone: 020 7251 8708  
Fax: 020 7251 8707  
Advice line: 020 7251 8706  
Email: [info@jcwi.org.uk](mailto:info@jcwi.org.uk)  
Website: [www.jcwi.org.uk](http://www.jcwi.org.uk)

### Community Legal Service Directory

This lists solicitors and other advisers who provide immigration advice, which in some cases will be free of charge. Public libraries have the local Community Legal Services Directory.

Telephone: 0845 345 4345  
Website: [www.clsdirect.org.uk](http://www.clsdirect.org.uk).

### UK NARIC The National Recognition Information Centre for the United Kingdom

UK NARIC gives information and advice about how overseas qualifications compare with UK qualifications.

Qualifications and Skills Division  
UK NARIC  
Oriel House  
Oriel Road  
Cheltenham  
Gloucestershire GL50 1XP

Telephone: 0870 990 4088  
Fax: 0870 990 1560  
Website: [www.naric.org.uk](http://www.naric.org.uk).

### UKCISA: The Council for International Education

We offer advice to international students about issues including immigration, fees, financial hardship, welfare and finding legal advice. We cannot help you to claim asylum, but we can offer advice about your fee status and whether you are eligible for Student Support. We cannot see personal callers, but please call the Advice line for students.

9-17 St Albans Place  
London N1 0NX  
Advice line for students: 020 7107 9922 1-4pm, Monday-Friday  
Website: [www.ukcisa.org.uk](http://www.ukcisa.org.uk).

### Border and Immigration Agency (BIA)

The Border and Immigration Agency is an executive agency of the Home Office, which is a UK government department. It makes decisions in asylum and immigration applications. For more information about the Border and Immigration Agency, and for copies of its instructions to caseworkers about how to handle asylum applications, see its website at [www.bia.homeoffice.gov.uk](http://www.bia.homeoffice.gov.uk).

[Asylum policy instructions](#) for Home Office caseworkers, and [Asylum support policy bulletins](#) for asylum seekers are available through the [Policy and law](#) page of the BIA website. There is also an asylum section at [www.bia.homeoffice.gov.uk/asylum](http://www.bia.homeoffice.gov.uk/asylum).

### Learning and Skills Council (LSC)

The Learning and Skills Council is the funding body for [further education](#) in England. You can find out who is entitled to 'home' fees and free courses in the guidance on its website at [www.lsc.gov.uk/providers/funding-policy](http://www.lsc.gov.uk/providers/funding-policy). You will find there the [LSC Learner Eligibility Guidance 2007/08](#) and [Funding Guidance for Further Education in 2006/07](#).

### Finding out more about Student Support

#### England

For information about Student Support in England, go the Directgov website at [www.direct.gov.uk](http://www.direct.gov.uk) and choose the Education and Learning option.

If you are interested in Student Support in [higher education](#) in England, choose the option [University and higher education](#).

If you want to study in [further education](#) in England, choose the options [14 to 19: your life, your options](#) or [Adult learning](#).

#### Wales

If you are studying in Wales, you can find information about financial support in [further education](#) and in [higher education](#) on the website of Student Finance Wales at [www.studentfinancewales.co.uk](http://www.studentfinancewales.co.uk).

#### Scotland

If you are in [further education](#) in Scotland, you can find information about the Education Maintenance Allowance at [www.emascotland.com](http://www.emascotland.com) and about other types of funding on the website of the Scottish Executive at [www.scotland.gov.uk/publications](http://www.scotland.gov.uk/publications) - choose 'Education' in the topic field and you will find the publication [Helping you meet the cost of learning: Your Guide to Funding 2007 - 2008](#).

You can find out about Student Support in [higher education](#) in Scotland from the [Student Awards Agency for Scotland](#).

## Northern Ireland

If you are on a **further education** course in Northern Ireland, you can find out more about the Education Maintenance Allowance at [www.emani.gov.uk](http://www.emani.gov.uk) and about further education awards on the website of the Western Education and Library Board at [www.welbni.org/Parent/third\\_awards.asp](http://www.welbni.org/Parent/third_awards.asp). You can also ask your college about discretionary support funds.

For information about Student Support for **higher education** in Northern Ireland, see the website for Student Finance Northern Ireland at [www.studentfinancenir.co.uk](http://www.studentfinancenir.co.uk).

## Telephone numbers

If you are calling from outside the UK, do not dial the (0) in the telephone numbers above. For example, if you want to call UKCISA from outside the UK, dial +44 20 7107 9922. If you are in the UK, do not dial +44, but do start the number with 0. For example, if you call UKCISA from within the UK, dial 020 7107 9922.

Textphone numbers are only for those who use a textphone (minicom) because of difficulties with speech or hearing.

A complete selection of Information Sheets is available to download from:  
[www.ukcisa.org.uk/student/information\\_sheets.php](http://www.ukcisa.org.uk/student/information_sheets.php)

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