

Those granted humanitarian protection, and family

This category is for any academic years of your course that start on/after 1 August 2021. For academic years that started before August 2021, the category titled 'Persons with leave to enter or remain' provided for humanitarian protection.

In order to qualify for 'home' fees under this category, you must meet all of the following criteria (a) to (c):

(a) you must be *ordinarily resident* in the *UK* on the *first day of the first academic year of the course*

(b) on the *first day of the academic year* you are paying fees for, you must fit 1 or 2 or 3:

1. a person with leave to enter or remain on the grounds of humanitarian protection; and:
 - you have been ordinarily resident in the *UK and Islands* throughout the period since being given your humanitarian protection
2. the *spouse* or *civil partner* of someone who has leave to enter or remain on the grounds of humanitarian protection; and:
 - you were the spouse or civil partner of that person on the date on which they made the immigration application that resulted in their humanitarian protection; and
 - you have been ordinarily resident in the *UK and Islands* throughout the period since being given your own leave to enter or remain
3. the *child* of either:
 - a person with leave to enter or remain on the grounds of humanitarian protection. You must have been their child at the time they made the immigration application that resulted in their humanitarian protection, and under 18 on that date; or
 - the spouse or civil partner of someone who has leave to enter or remain on the grounds of humanitarian protection. At the time when the person with humanitarian protection made the immigration application that resulted in their humanitarian protection:
 - they must have been the spouse or civil partner; and
 - you must have been the child of the spouse or civil partner; and
 - you must have been under 18

And in the case of both the two large bullet points above, you (the child) must have been ordinarily resident in the *UK and Islands* throughout the period since being given your own leave to enter or remain

(c) you must be ordinarily resident in the *UK and Islands* on the *first day of the academic year* you are paying fees for

Expiry date for leave on grounds of humanitarian protection

The leave to enter or remain might have an expiry date. If the person makes an application to extend or change their leave before it expires, and that application is not decided before the expiry date, then immigration law dictates that they carry on being treated as a person with leave to enter or remain on the grounds of humanitarian protection while they wait for a decision to be made (and if their application is refused, then also while they wait for an appeal or administrative review of the decision). They count as a 'person with leave to enter or remain on the grounds of humanitarian protection' for fee assessment purposes during all of that time.

Official name for the category

In the regulations, the category you qualify under is the one called 'Protected persons and their family members'. It also covers people with stateless leave, section 67 leave, Calais leave, and leave under the Afghan Schemes, but we talk about those groups separately in our information, to make things simpler.

Don't get confused between this category and other ones that have the word 'protected' in them – the word crops up in lots of other categories too, like the ones for 'Persons granted leave to remain as a protected partner and their children', and 'persons with protected rights'.

Becoming eligible

If you are, or if your parent (or your parent's spouse / civil partner) is, or if your own spouse / civil partner is, granted humanitarian protection after the start of the course, you will be entitled to 'home' fees from the start of the next academic year, if you meet the requirements above.