

Refugees and asylum seekers in the UK: The challenges of accessing education and employment



1. Introduction

This briefing paper endeavours to highlight the challenges facing refugees and asylum seekers in the United Kingdom in accessing education, training and employment. It does not claim to cover all the issues but is intended as a starting point for providers of adult learning and/or advice.

It initially sets out the facts about definitions and differences in immigration status of refugees and asylum seekers, followed by some specific concerns. Then it explores the challenges of learning and education (including status and fee information for students), plus the barriers to work. Finally the paper offers some recommendations for the future and suggests where to obtain further information.

2. Definitions and Status

1. **An illegal immigrant or illegal entrant** is a person who has entered the UK illegally or is staying in the UK illegally having entered legally.
2. **An asylum seeker or asylum applicant** is a person who has formally applied for asylum in order to be recognised as a refugee, but whose application has not yet been decided.
3. Under international law **a refugee** is a person who:
 - has a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion
 - Is outside the country they belong to or normally reside in, and
 - is unable or unwilling to return to that country, for fear of persecution.

From September 2005 people given refugee status are granted 5 years' limited leave. This will be reviewed and Indefinite Leave to Remain (ILR) will be given to those who are still considered eligible to remain in the UK at the end of the 5-year period.

4. **Temporary or limited leave to remain:**

In some cases people who are not considered eligible for refugee status are granted:

- Humanitarian Protection (HP)
- Discretionary Leave (DL)
- Exceptional Leave to Remain/Enter (ELR) is no longer given

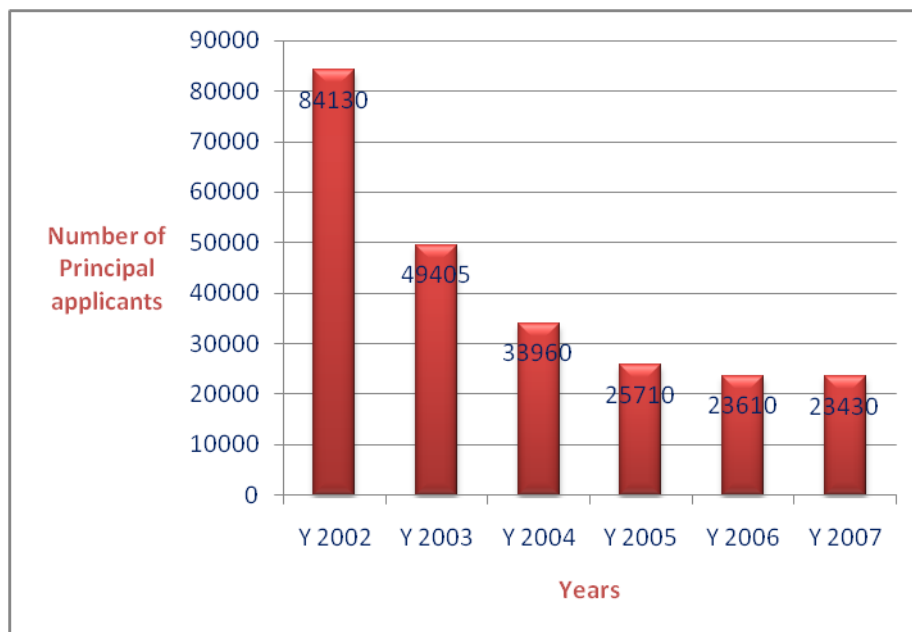
Some people may have 'Indefinite Leave to Remain' but not refugee status. This may be because they have previously had temporary leave to remain and have applied and been granted ILR, or have been granted ILR under the special Home Office initiatives such as the current 'Case Resolution'.

Government policy always plays an important part in access and status, therefore definitions may change. These definitions were correct when published.

www.ind.homeoffice.gov.uk/asylum/process/oldercases/ www.homeoffice.gov.uk/

3. Portrait

There were 23,430 applications for asylum in the UK in 2007. In the first quarter of 2008 (January to March) there were 6,595 applications. This was 16 per cent higher than the first quarter of 2007. The top five applicant nationalities were Afghan, Iraqi, Zimbabwean, Iranian and Eritrean.



Numbers of applications for asylum in the United Kingdom (excluding dependants)
www.homeoffice.gov.uk

Many refugees have to wait a long time to get a decision on their claims, the period could be from 2 months to more that 6 years.

- Most refugees and asylum seekers are not in a position to choose their destination country. If they are, they come to the UK because they have a family member or contact here.
- Countries that produce refugee and asylum seekers have well documented poor human rights records, or are places where war or conflict is on-going. It is therefore not possible to assume that asylum seekers try to enter this country for economic reasons.
- Many refugees and asylum seekers hope to return home at some point when the situation in their country has improved.
- Principle refugee applicants used to be predominately male but now more females are fleeing conflict and persecution. They can now be principle applicants in their own right, on behalf of a family, or even for their partners.
- Young people and unaccompanied children can also be principle refugee applicants.

4. Specific concerns

The UK does not provide a standard and mandatory induction programme for new arrivals, and refugees and asylum seekers need to acquire knowledge about living and working in the UK from existing networks. The services that do exist, and those that they can access, in the areas where they live or work, are variable.

Housing

Asylum seekers are now supported by the UK Border Agency (BIA). BIA policy is to offer all asylum seekers support accommodation on a no-choice basis, although some individual special circumstances may be taken into account. If asylum seekers require accommodation and qualify for accommodation support when they first make an asylum application, they are placed in initial accommodation, for the first two or three weeks, and then different accommodation may be provided at different stages of the application process. This can include living in a community or being detained in an immigration detention centre.

www.bia.homeoffice.gov.uk/asylum/support

Asylum seekers who have no choice in where they live, and are moved from place to place, often experience:

- isolation from their friends and family, especially if they are located a long way from people of a similar background
- lack of opportunity to develop independent skills of how to access services because their needs are met by BIA providers
- ghettoising, by having no chance to integrate with the local communities.

People granted refugee status, temporary or indefinite leave to remain are eligible to apply for social housing to their local authority, or to Registered Social Landlords (RSLs) who are independent housing organisations. However as there is a shortage of social housing in the UK private renting still provides one of the main routes for housing. Asylum seekers who are not eligible for the BIA support can be left destitute.

Health

Refugees and asylum seekers may fail to access healthcare provision due to their lack of knowledge of services and how to access them, a fear of being charged, and/or an inability to communicate in the English language. As they come from areas of conflict they may also have increased health needs due to their isolation, a prolonged uncertainty about their future, low income and other factors related to their past experiences and the asylum process.

Entitlement to NHS treatment. Refugees and asylum seekers have the same needs as everyone else and they and their dependents, no matter what stage of their asylum claim, are entitled to all NHS care without payment.

A judicial review took place in April 2008 regarding a failed asylum seeker receiving free hospital treatment. The resultant ruling in the High Court makes it possible for failed asylum seekers to be considered 'ordinarily resident' in the UK, and, consequently, entitled to free NHS hospital treatment. Unless and until the decision is overturned the Judge's decision is effectively the law.

www.dh.gov.uk/en/Healthcare/International/AsylumseekersAndrefugees/index.htm

Learning and social cohesion

In a more mobile and culturally diverse world traditional channels for establishing the rules of social engagement, become less reliable. Traditional family, community and employment structures teach people what is important, how to behave and what matters. As people move, most dramatically between countries, but also between areas, industries and individual communities, they need to learn what is expected in different communities, what is regarded as “normal”, where the boundaries of tolerance of difference lie, and how to negotiate these and influence change.

Although much of this is learned through observation and advice from others, education can play an important part. This extends across a spectrum: from formal courses explicitly aimed to develop language, citizenship and culture, to less formal kinds of education which allow people to interact with others and develop networks of acquaintance and friendship. Adult education has traditionally served an important purpose for people moving to new areas, or people who have gone through some form of life change... enabling them to meet others on neutral ground, around shared interests, where the social interaction may be as important as the subject ostensibly studied. In maintaining the social capital, which enables a complex society to function such activities are vital.¹

Learning challenges

A refugee's lifelong learning needs are the same as other citizens, however:

- they may not identify learning as one of their first needs
- domestic caring responsibilities may dominate all other needs, this mainly impacts upon women
- those with low incomes may not wish to invest money in themselves
- they may have uncertain levels of literacy irrespective of language
- refugees and asylum seekers may have an educational history of unequal access, due to class or gender stereotyping, poverty or ethnicity
- they may have a cultural view of what constitutes “proper” learning, e.g. education is only for the young or learning has to be over a long period to make it valid
- they may struggle to find appropriate forms of expression.

To address these challenges we recommend that providers should:

- offer appropriate and meaningful Information, Advice and Guidance
- engage cultural brokers
- emphasise the importance of language skills for integration
- promote sharing, volunteering and mentoring
- demonstrate the importance of lifelong learning and promote the value of learning with others
- assist refugees to meet the requirements of citizenship procedures
- suggest that refugees should re-learn or adapt existing skills – which will also increase their self-esteem.

English for speakers of other languages (ESOL)

Gaining an ability to use English is fundamental in enabling a refugee or asylum seeker to operate independently and to begin to integrate into UK society. Many refugees and asylum seekers often develop basic English skills from attendance at ESOL classes and go on to improve upon these skills by practising their English language in the workplace, or through everyday contact with the host community. As acquisition of English language is now a prerequisite to gaining British citizenship, the ability to communicate in English has even greater significance for people on gaining refugee status. Participation in volunteering, social

groups, clubs and societies provides a valuable opportunity to learn and practice English language, however it can be difficult for refugees and asylum seekers to access, and participate, in these activities without some initial support. The new restriction on all asylum seekers preventing them from accessing ESOL prior to them being in the UK for 6 months will hinder their early development of English language skills and may subsequently deter people from taking ESOL as they will become accustomed to living in the UK without speaking English.

As well as being provided in FE colleges and adult learning centres, ESOL courses are often based in the community including within Refugee Community Organisations (RCOs). The advantages of the RCO based provision are that refugees feel more secure studying in a familiar environment where there is experience of working with migrants, and also a possibility of accessing other specialist advice.

Language acquisition facilitates access to the labour market and reduces the dependence on others.

5. Education, training and fees

Asylum seekers and refugees are entitled to study any course at any level, as long as they are able to satisfy the entry requirements and can pay the course fees. As presented in tables below, the fees they have to pay and the support they are eligible for will depend on their immigration status and how long they have been in the UK. Entitlement to vocational training will depend on immigration status.

Refugees are able to access Government training schemes such as Work Based Learning for Adults. Asylum seekers are not eligible for these Government schemes, even if they have permission to work. Asylum seekers with permission to work may be able to take vocational training through an employer.

As some funding streams are difficult to access, advice and support into education has to be tailored around relevant individual situation, needs and concerns. It should include an audit of skills and experiences, and an exploration of potential opportunities, through effective Information and Guidance (IAG), with the encouragement of peers, same language speakers and family.²

Status	Fee	Learner support funds*
Asylum Seekers	Currently, charged home student fees if on BIA asylum support or means tested support. However, from 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 – funding for courses

Status	Fee	Learner support funds*
Asylum Seekers	Overseas student fees apply.	Not eligible.
HP/DL/ELR	Home student fees apply.	Eligible, after three year's residency in the UK.
Refugee status	Home student fees apply.	Eligible.

*Hardship loan, access funds, LEA grant or student loan.

Universities and colleges in England can charge tuition fees of up to £3,000 a year for 'new' full-time students in higher education provision. For further information about further and higher education fees and entitlement to funding see;

Higher Education, Student Support www.dfes.gov.uk

Advice for International Students: Guidance Notes www.ukcosa.org.uk/

6. Prior qualifications

Refugees need to be supported through the accreditation process as some refugees will not have documentation or certificates due to the nature or the circumstances of their flight from their home country. The following official agencies, offer a limited, priced, guidance service:

The National Recognition Information Centre for the United Kingdom provides information and expert opinion on vocational, academic and professional skills and qualifications.
www.naric.org.uk/

UK National Reference Point is a contact for national vocational qualifications and an information resource for UK skilled worker, trade and technician level qualifications.
www.uknlp.org.uk

For some overseas trained professionals there are established procedures that refugees can follow to have their prior qualifications recognised and/or registered so that they can practice in the UK, such as teachers, doctors, nurses, allied health professionals and social workers .
For example:

A Guide for Refugees who want to work in education has been produced by the Refugee Teachers Taskforce and Employability Forum. Olusoga, Y. ***Jobs in education: A guide for refugees***, DfES. www.employabilityforum.co.uk/documents/TeachersGuide_web.pdf

Training and Development Agency for Schools. www.tda.gov.uk/Recruit.aspx

The Refugee Council and the British Medical Association database of refugee doctors offers advice to refugees on how to register and practice as a doctor in the UK. www.bma.org.uk/ap.nsf/Content/hubrefugee+doctors

Prior learning and work

There are many projects and initiatives across the UK supporting education and employment of refugees and asylum seekers but due to lack of funding most are short term or only available in small local areas. Such projects explore various ways of validating experience through different routes. For example:

1. Portfolios - a portfolio is an organised folder of documents and other evidence that shows what has been done in the past. It shows evidence of a range of skills and experiences that can be presented to employers and education providers.
2. Assessment of Prior Experiential Learning (APEL) involves looking at learning that comes from experience. This could be paid or voluntary work experience, hobbies, life experience or training attended but without certificates. APEL gives recognition for achievement, knowledge, skills and understanding. It is used in further and higher education.³

7. Employment

Asylum seekers are not normally allowed to work in the UK while their asylum applications are being considered, except in very limited circumstances.

If an asylum seeker has waited longer than 12 months for an initial decision on their asylum application, they may request permission to work. Currently, most new asylum applications receive a decision within 30 days.

If permission to work is given, asylum seekers are not be allowed to become self-employed or to do certain types of work. For more detailed information see:

<http://www.ukba.homeoffice.gov.uk/asylum/support/employment/>

Research, based on a review of literature and in-depth qualitative interviews with 65 asylum seekers, found that there was little evidence that respondents had detailed knowledge of UK immigration or asylum procedures, entitlements to benefits in the UK, or the availability of work in the UK. Finding work was an important issue for the respondents once they had reached a place of safety and most wanted to support themselves during the determination of their asylum claim rather than be dependent on the state. Finding work offered a purpose in life, a sense of self-respect and a way of focusing on the future.⁵

Any person with refugee status, Indefinite Leave to Remain, Humanitarian Protection, Discretionary Leave, or Exceptional Leave to Remain has the right to work, or set up a business, in the UK.

Barriers to refugees gaining employment:

- lack of awareness, and provision, of relevant and accessible Information, Advice and Guidance services
- lack of recognition of qualifications, skills and experience gained overseas
- poor English language skills, particularly in relation to vocational language
- lack of mentoring or job coaching opportunities
- little knowledge of the environment and culture of the UK workplace
- a lack of UK based work experience

- the job application system in this country can be quite different from the refugees experience in their home country
- little understanding of employment rights and responsibilities.

Employers are often wary of offering employment to refugees and asylum seekers due to:

- negative media coverage
- a lack of positive images of refugee workers
- confusion over refugees' legal status
- their perception that refugees will be resented by existing employees

**Refugees are up to six times more likely to be unemployed than non-refugees.
That's a huge waste of untapped potential.**

Addressing these barriers

The Progress GB Development Partnership piloted new approaches to improve lifelong learning and employment opportunities, and enhance the careers and integration of refugees and migrants. They worked with 700 refugees and migrants over 3 years and this is a very relevant quote from their findings:

"The opportunity to experience the culture of the UK work environment and participate in the daily life of the workplace has proved to be a very important factor in increasing the employability of unemployed refugees and migrants. Not only do work placements improve the confidence of individuals, they also provide concrete benefits including proven UK work experience and employer references, which increase the chances of participants' gaining permanent employment..."

However, they found that:

"...appropriate work placements can be difficult to find for refugees and migrants. It is therefore recommended that a national system of work placements be introduced, with resources being made available to encourage employers to offer and provide placement opportunities and in-work mentoring for refugees as part of an integrated learning package..."⁶

One of the foundations of business success according to ACAS is that everyone should be treated fairly and valued for their differences as part of everyday life.

8. Recommendations for the future

We support the Refugee Agencies Policy Response on integration and cohesion:⁷

- Assistance should be given to enable refugees to meet the requirements of citizenship procedures;
- All asylum seekers and refugees should be entitled to a level of support which meets their basic needs and does not mean that they are set apart from other members of the community because of extreme poverty or destitution, and they should receive assistance to find appropriate employment and targeted specialist services that facilitate access to the mainstream;

- Efforts should be made to promote real contact between asylum seekers and refugees and local people, through regular social, artistic and sporting events, mentoring, volunteering, befriending and hosting schemes and opportunities to pursue common interests and hobbies;
- Languages should be provided, which includes flexible, targeted help for those with different levels of English;
- Volunteering opportunities for asylum seekers and refugees should be more widely available, and organisations should be appropriately resourced to support asylum seekers and refugees to volunteer;
- Reliable, impartial sources of information about asylum seekers and refugees, should be made available to host communities, with the chance to have any questions answered;
- Asylum seekers and refugees should be helped to take part in decision making processes, for example those affecting the planning, design and evaluation of local services;
- Refugee community organisations should play a full part in representing the interests of asylum seekers and refugees locally and should be given the resources and support to develop their capacity.

9. References

¹McNair, S. (2007). ***Demography and Adult Learning: A Draft discussion paper for the NIACE Big Inquiry***. NIACE.

² Refugee Council. (2007). ***Support Pack for Advisers, Adult Education and Employment***. <http://www.refugeecouncil.org>.

³RAGU. (2008). ***Refugees & asylum seekers: An education, training and employment guide for advisers***. London Metropolitan University.

⁴ Kirk, R. (2004). ***Skills Audit of Refugees***. Home Office.
www.homeoffice.gov.uk/rds/pdfs04/rdsolr3704.pdf

⁵ Robinson, V. and Segrott, J. [2002]. ***Understanding the decision-making of asylum seekers***. <http://rds.homeoffice.gov.uk/rds/pdfs2/r172.pdf>

⁶Waddington, S. (2008). ***Routes to integration and inclusion: New approaches to enable refugee and migrant workers to progress in the labour market***. NIACE.

⁷Smart, K. (2007). ***Inter-agency partnership response to Commission on Integration and Cohesion Consultation***.
www.refugeecouncil.org.uk/policy/responses/2007/integration.htm

10. Further reading

Esterhuizen, L. and Murphy, T. (2007). ***Changing Lives: A Longitudinal Study into the Impact of Time Together Mentoring on Refugee Integration.*** www.timetogether.org.uk

Amas, N. (2008). ***Housing, new migration and community relations: A review of the evidence base.*** Information Centre about Asylum and Refugees. www.icar.org.uk/download/HousingReport_April2008.pdf

iSE. (2005). ***National Statutory Context for ESOL Delivery for Asylum Seekers.*** Aspire Partnership. www.equal-works.com/resources/contentfiles/1715.pdf

National Refugee Integration Forum. (2006). ***Rebuilding Lives – Groundwork: Progress report on refugee employment.*** Home Office.

Aldridge, F., Gray, R., et.al. (2005). ***Skills Audits for asylum seekers and refugees: A Practitioners' Manual.*** ASSET UK. NIACE.

Lee, J. (2006). ***Social Exclusion, Refugee Integration, and the Right to Work for Asylum Seekers.*** Refugee Council. http://www.refugeecouncil.org.uk/NR/rdonlyres/CEB597B9-9EB6-4340-861C-CAB7183CF294/0/right_to_work.pdf

Refugee Council. (2005). ***Tell it like it is: The truth about asylum.*** www.refugee-action.org.uk

Waddington, S. (2005). ***Valuing Skills and supporting integration: A policy report on the lessons learned by auditing and developing the skills of asylum seekers as the basis for social and vocational integration.*** ASSET UK. NIACE.

Department for Work and Pensions. (2005). ***Working to Rebuild Lives: A Refugee Employment Strategy.*** www.dwp.gov.uk/publications/dwp/2005/emp_guide.pdf

11. Contacts

There are many regional and local initiatives and this list is not exhaustive.

British Council www.educationuk.org

Council for Assisting Refugee Academics (CARA): www.academic-refugees.org

Employability Forum: www.employabilityforum.co.uk

The European Council on Refugees and Exiles (ECRE): www.ecre.org

NIACE (National Institute of Adult Continuing Education): www.niace.org.uk

The Information Centre about Asylum and Refugees in the UK: www.icar.org.uk

Praxis - The place for people displaced: www.praxis.org.uk

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

Refugee Assessment & Guidance Unit (RAGU), London Metropolitan University:
www.londonmet.ac.uk/ragu

Refugee Council: www.refugeecouncil.org.uk

Refugee Women's Association (RWA): www.refugeewomen.org

UK Border Agency (BIA): www.ind.homeoffice.gov.uk

Youth Access: www.youthaccess.org.uk

This briefing sheet is linked to the '**Older refugees and asylum seekers in the UK: the challenges of accessing education and employment**' briefing sheet.

www.niace.org.uk/sites/default/files/86-Older-refugees-asylum-seekers-UK.pdf

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They are also available on the website at
www.niace.org.uk/services/information-services/briefing-sheets

NIACE, the National Institute of Adult Continuing Education, has a broad remit to promote lifelong learning opportunities for adults. NIACE works to develop increased participation in education and training. It aims to do this for those who do not have easy access because of barriers of class, gender, age, race, language and culture, learning difficulties, or insufficient resources. Registered charity number 1002775; Company registration number 2603322.