

Eligibility of Refugees and Asylum Seekers

1. Asylum seekers are individuals who are seeking international protection who claim origin or habitual residence. Refugees are people who have been granted international protection and have been given permission to stay. Asylum seekers are not usually eligible for ESF support, but refugees are.
2. Asylum seekers are not generally allowed to work while their claims are being decided. However, since February 2005, they have been allowed to apply for permission to work if they have waited for over a year for an initial decision on their asylum claim or further submissions.
3. If the asylum seeker's claim has been rejected, they may request permission to work if they have made asylum-based further submissions which have been outstanding for more than 12 months.
4. Those individuals whose asylum claim is deemed to be unfounded and have not obtained permission to work may only be supported by ESF in the following circumstances:
 - Where they are unable to leave due to physical impediment to travel or other medical condition.
 - 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:
 - If in the opinion of the Secretary of State, there is no safe route of return for them.
 - If permission has been granted for a Judicial Review.
 - If support is necessary to avoid a breach of ECHR examples.
5. Accepted evidence for Refugees and Asylum Seekers include:
 - Asylum Seeker - copy of individual's Application Registration Card (ARC).
 - Proof of refugee status, Humanitarian protection, Discretionary Leave to Remain or Indefinite Leave to Remain in the UK, including:
 - A Home Office letter confirming status and permission to work.
 - A Home Office Certificate of Identity.
 - A benefits notification letter.
 - An Immigration Status Document.

<https://www.scottishrefugeecouncil.org.uk/>