

REFUGEES & ASYLUM SEEKERS

An education, training and employment
guide for advisers



Produced for advice-resources by **RAGU (Refugee Assessment and Guidance Unit)**, London Metropolitan University, July 2006.

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Introduction

Guide for Advisers



Who is this guide for?

This guide is for those advising adult refugees and asylum seekers (over 16 years) living in England. Where there is a need to distinguish the two groups, the term 'refugee' will be used to refer to all those who have received a 'positive' decision from the Home Office (see 'Immigration Status' on page 4 for more details). The term 'asylum seeker' will refer to those people who have not yet received a decision on their claim for asylum or who are appealing the initial negative decision. If there is no need to distinguish the two groups, the generic term 'refugee' will be used for all.

What does the guide cover?

This guide is focused on information, advice and guidance for education, training, volunteering and employment. It also touches on other issues that will have an impact on education, training and employment. Where it is not possible to provide information on a certain topic we have signposted to other organisations or websites that should be able to help.

How should I use the guide?

The guide is divided into clear sections on different topics, such as 'Rights and entitlements' or 'Getting recognition for overseas qualifications and experience'. You can read the whole guide in full or simply go to the section that you are interested in. There is some repetition so that each section can be read without too much cross-referral. If there is an acronym that you don't know, you should find this in the glossary at the end. Contact details for useful organisations, networks, other information sites or publications and staff development resources are also given in the 'Useful contacts and resources' section of this guide.

Who produced this guide?

This guide was produced by RAGU (Refugee Assessment and Guidance Unit) at London Metropolitan University (www.londonmet.ac.uk/ragu). RAGU has also produced a companion guide aimed at refugees and asylum seekers. This is translated into 9 refugee community languages. RAGU will update this guide regularly.

How can I give feedback?

If you have comments about this Guide for Advisers please send them to:
ca-advice-resources@lsc.gov.uk

Immigration status

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What is the difference between a refugee and an asylum seeker?

The words 'refugee' and 'asylum seeker' are used inconsistently and easily cause confusion. Basically the difference is that an asylum seeker has not yet received a decision on their claim for asylum from the Home Office (or is still appealing a negative decision). A refugee has received a 'positive' decision. Currently this can be Refugee Status (with or without Indefinite Leave to Remain), Humanitarian Protection or Discretionary Leave. The status Exceptional Leave to Remain/Enter is no longer given but you may have clients who have this status from before 2003.

Definitions of immigration status

Rights and entitlements to education, training and employment and various kinds of support depend on the person's immigration status. From the first meeting with a refugee or asylum seeker client, it is important to know this and to see the Home Office documents which will give more details (such as date they were given the status and whether they have permission to work). The definitions are given below. For information about the entitlements attached to immigration status, see 'Rights and entitlements to education, training and employment' on page 19.

Refugee Status (with or without Indefinite Leave to Remain)

Refugee status is given when the Home Office considers that the person fits into the definition as set out by the 1951 UN Convention Relating to Refugees. According to this definition, 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
- is unable or unwilling to return home for fear of persecution.

From 1st September 2005 people given refugee status no longer qualify automatically for Indefinite Leave to Remain (ILR). They are now granted 5 years' limited leave. This will be reviewed and ILR will be given to those who are still considered eligible to remain in the UK at the end of the 5-year period.

Indefinite Leave to Remain (without refugee status)

Some people may have ILR but not refugee status. This may be because they are given ILR under a backlog clearance scheme, they are part of the Gateway Protection Programme¹ or because they have previously had ELR/HP/DL (see above) and at the end of the stated period, the case has been reviewed and they have been given ILR.

¹ A resettlement programme for refugees (500 per year) who are brought to the UK, given ILR (and in some cases refugee status) and have access to a range of support measures for 12 months after arrival. For more details: www.refugeecouncil.org.uk > Policy & research > Briefings > 2004 > Gateway: resettlement

Immigration status

Exceptional Leave to Remain (ELR), Exceptional Leave to Enter (ELE), Humanitarian Protection (HP) or Discretionary Leave (DL)

These are given when the case does not fit into the strict definition of the 1951 UN Convention, but the applicant is given a discretionary right to stay for a specific period on humanitarian grounds. Currently applicants are given Humanitarian Protection (HP) or Discretionary Leave (DL). Up to April 2003 when the Home Office changed the system, they were given Exceptional Leave to Remain (ELR) or Exceptional Leave to Enter (ELE). At the end of the stated period (up to a maximum of 5 years), the case is reviewed.

Proof of Immigration Status

The most common current forms of proof of an individual's immigration status are shown in the table below:

Immigration status	Proof *
Refugee Status and/or Indefinite Leave to Remain (ILR)	Home Office letter granting status; a 'vignette' attached to an immigration status document or passport
Humanitarian Protection (HP), Discretionary Leave to Remain or Exceptional Leave to Remain/Enter (ELR/ELE)	Home Office letter granting status; a 'vignette' attached to an immigration status document or passport
Asylum seeker	ARC (Application Registration Card)

* See table on Refugee Council site below for full details

For samples of these documents see: www.employabilityforum.co.uk/

> Refugee Employment > Policy > Practical Issues > Permission to work documentation

For more information about documents that prove status, information about applying for extension of leave and entitlements for those with positive decisions, see:

www.refugeecouncil.org.uk > 'Practical Advice' > 'Guides for Advisers and Service Providers' > Support packs > Asylum Decision > (p. 3 for a useful table)

Background to the refugee experience

Guide for Advisers



Why do people flee their countries?

The main reasons people flee their countries are war and conflict, factional fighting and minority persecution. A report¹ cites Home Office statistics showing that, of the total numbers of people applying for asylum in the UK, nearly three-quarters were from countries where conflict is ongoing. Only a tiny minority of people displaced globally manage to escape to the UK. Most people flee to the country closest to their own, far outnumbering those who seek refuge elsewhere.

It can be very useful (as well as interesting) for advisers to know something about the background of the countries their refugee clients are coming from. You can find further information in the report mentioned above and also from:

www.unhcr.org > Browse by country menu

The reasons that women have to flee may be different. To read more about this, see:

www.asylumaid.org.uk > Refugee Women's Resource Project > The Project's activities > Research reports > Why Women Flee – persecution against women (seminar report) 2005

What does the asylum process involve?

In 2007 the UK received 23,430 claims for asylum.² Asylum applications are made either at a 'port' (airport, trainport or seaport) or after entry. Most applicants are granted temporary admission. If the person applies for asylum after entering the UK, they need to apply in person 'as soon as reasonably practical' to the Asylum Screening Unit of the Home Office in Croydon or at a Public Enquiry Office in Belfast, Glasgow, Liverpool or Birmingham. If not, they run the risk that they will be refused support.

¹ *Fleeing the Fighting: How conflict drives the search for asylum*, Refugee Week Partnership (June 2004). The report lists refugee-producing countries alphabetically showing the breakdown of numbers of refugees to the UK, numbers of internally displaced people and the numbers of refugees worldwide from that country. It then looks at the current situation in that country, the impact on children and has a case study of a refugee who came to the UK, explaining the reasons they had to flee. You can download the full report from www.refugee-action.org.uk/information/documents/FleeingtheFighting.pdf

² *Asylum Statistics*, Home Office
<http://www.homeoffice.gov.uk/rds/pdfs08/hosb1108.pdf>

Background to the refugee experience

Applicants then go through a screening process and receive an Application Registration Card (ARC). If they have nowhere to stay and cannot support themselves, they will be allocated to emergency accommodation and can apply for accommodation and support through NASS (National Asylum Support Service). They will later usually be dispersed to regions outside London and the South East. Those who have somewhere to stay (with family or friends, for example) can apply to NASS for 'subsistence only' support. Asylum seekers can apply for NASS accommodation and/or support through One Stop Services¹.

Following the screening process, the applicant (with the help of a legal adviser) fills in a Statement of Evidence Form (SEF) that needs to be returned to the Home Office within a tight deadline. The Home Office then calls the applicant for interview, which is followed by a decision on their claim for asylum. The Home Office makes the initial decision about most applications within 2 months.

If asylum seekers receive a 'positive' decision giving them refugee status or Humanitarian Protection (HP) or Discretionary Leave (DL), they have 28 days to move out of NASS accommodation or emergency accommodation and NASS support into the mainstream benefits system. If they are granted refugee status, they can apply for other members of their family to join them (family reunion).

If they receive a negative decision, they can appeal (in some cases this has to be done from outside the UK). There is a strict time limit for appeals. As long as their appeal is lodged within this time limit, asylum seekers can still receive support until they get an appeal decision. If the appeal is unsuccessful, it may be possible to apply for a statutory review. Once the right to appeal or challenge the decision has been exhausted, the applicant is required to leave the UK. If an individual is unable to return home, he/she may be eligible for 'hard cases' NASS support.

Further information:

Asylum process and how to support clients at various stages:

www.refugeecouncil.org.uk > Practical advice > Guides for advisers and service providers > Support packs > Asylum process

For advice for clients see: <http://www.advicenow.org.uk/advicenow-guides/immigration/how-to-get-good-asylum-advice/>

This information is also available in several other languages at: www.multikulti.org.uk

One Stop Services:

www.refugeecouncil.org.uk > How we help > Helping directly > Main services

¹ These were set up in 2000 when dispersal of asylum seekers to the regions (due to pressure on services in London and the South East) started. NASS funded a number of volunteer agencies (including the Refugee Council) to assist in implementing the support arrangements for asylum seekers. One Stop Services provide services from immediately after arrival in the UK to when the final decision on the asylum claim is made. Advisers in the One Stop Services help asylum seekers to access services and give general orientation information and advice.

What skills and experience do refugees bring?

A recent Home Office skills audit² illustrates the wide range of backgrounds and skills and qualifications levels amongst the refugee population in the UK: from those who are uneducated and illiterate (who tend not to access services) to those who are highly skilled, qualified professionals who are proficient in English. About 40% hold qualifications and 50% have received more than 10 years' education. Before leaving their country of origin, 67% were employed or self-employed (compared to 60% in the UK population). Most speak several languages. They are relatively young, resourceful, motivated and keen to work if they can.

Some refugees have been traumatised by the situations they have fled and the journey to the UK and this, often combined with their experience in the UK (see below), may result in continuing mental health problems. Some will also be physically disabled as a result of violence or torture. Some will have spent time in a refugee camp and many will have had their education and training disrupted.

What is their experience in the UK?

Refugee unemployment is very high in the UK and even when employed, refugees tend to be working at a lower level than their qualifications and skills would indicate. A research report from the Department of Work and Pensions (DWP)³ found that 40% of refugees had skills they did not use in the UK. 60% wanted to participate in training but only 12% had been on training courses since arriving in the UK.

What are the barriers to education, training and employment?

Research over the last few years has identified that refugees face a range of barriers to education, training and employment in the UK. An obvious one for asylum seekers is legal; they are barred access to employment and much vocational training. Many refugees and asylum seekers (particularly women) are also isolated without the social networks that most of us take for granted to help us negotiate the system and to support us in times of transition.

² *Skills Audit of Refugees*, Home Office (2004)
www.homeoffice.gov.uk/rds/pdfs04/rdsolr3704.pdf

³ *Refugee's Opportunities and Barriers in Employment and Training*, Department for Work and Pensions (2002)
<http://www.dwp.gov.uk/asd/asd5/rrep179.pdf>

Other barriers can be categorised as follows:

Gaps in provision/inappropriate provision and lack of information about the system and accessing what suitable provision exists

- Not enough ESOL courses (with shortages particularly at the lowest and highest levels) and long waiting lists for those that are available (exacerbated by the additional demand from migrants from the new EU accession countries)
- Limited specialist advice and guidance services for refugees or limited refugee specialists in mainstream services. Furthermore, there may not be any recognition of the need to develop multicultural guidance skills of advisers and a more general awareness at all levels in the organisation. This will mean that services may not be appropriate for or sensitive to the needs of refugees (as well as other groups)
- Lack of bridging courses or programmes to move refugees into mainstream education, training or employment
- Lack of information about availability of free or low cost specialist and mainstream courses, training programmes or other schemes, where to get funding if needed, whether they are eligible to enrol and what (if any) support there is to cover transport, subsistence, childcare, course and materials costs. There is some excellent education and training provision through refugee community organisations (RCOs) that is often open to those outside the specific community, but as RCOs are staffed mainly by volunteers, it can be difficult to access this information
- Lack of information in community languages and limited access to interpreters
- Statutory provision aimed at the unemployed is often unable to meet the needs of highly qualified refugees and the inflexibility of target-driven systems means that alternatives that would benefit the client more are not allowed

Difficulty in planning and disruption due to the asylum process

- Disruption for asylum seekers due to the dispersal process or changes of immigration status (for example, for adult asylum seekers when they receive a 'positive' response from the Home Office or when a young person turns 18 and has to reapply)
- Uncertainty about status for those with limited leave to remain (HP, DL or ELR/ELE), some of those with refugee status (since automatic ILR was withdrawn from 1st September 2005 onwards) and asylum seekers, making long-term planning difficult

Gaps in refugees' knowledge, skills and experience needed to access education (apart from ESOL), training and employment:

- Level of English language (for most but not all) and cross-cultural communication skills. While the barrier that English language presents should not be underestimated, for those who actually have a high level of communicative competence, this can be compounded by the unwitting discrimination of employers and admissions tutors who may hold negative perceptions and prejudices about language and accent.
- Lack of IT skills, specific technical skills or knowledge about new equipment/technology (in some cases)
- Lack of familiarity with the UK job search culture and how the labour market works
- Lack of UK work experience and UK references
- Basic skills needs (in some cases)

Financial and time constraints

- Cost of courses (especially at advanced level) and support for studying or training (particularly for asylum seekers, but also for those who have received a 'positive' response but have not met the 3-year residency requirement)
- The time spent on bureaucratic requirements dealing with health, housing, benefits and the legal processes in an unfamiliar system and in an unfamiliar language (for many) and the disruption it can cause when attending courses, training and work placements
- Expense and time involved in the re-qualification process

Many of these barriers will have overlaps with those experienced by various other client groups but others are refugee-specific. Some can be addressed by refugees themselves with support from advisers or trainers who need, in turn, to develop new skills and greater awareness to respond to the needs of this client group. Other barriers require structural, policy or attitude changes from institutions, systems and individuals.

Inflexibility of structures (and individuals) making it difficult to move from another system (especially from outside the EU)

- Limited recognition of overseas qualifications and work experience (usually no recognition for those without documents to prove it) and lack of systems to assess these qualifications or experience
- Reluctance of employers to take on refugees for work or placement partly due to worry about legality, additional paperwork that may be required and concern about the 'otherness' of the refugee and whether or not they will 'fit in'. This may lead to a subtle but powerful form of racism that positions refugees as undesirable employees⁴
- Common perceptions of the refugee being either over-qualified or under-qualified for posts they apply for
- Lack of relevant work experience in UK barring refugee candidates from competing for posts that are suitable for them
- Limited effective practical links between skilled refugees, employers and Government agencies (such as Job Centre Plus and the Sector Skills Councils) to fill sector skills shortages (such as in Education and Health)

For some individuals the time, effort, expense and energy needed to surmount these barriers, with many false hopes along the way, can be very disheartening and lead to a loss of confidence and even bitterness. This is compounded by the loss of status and the fear of becoming de-skilled in the time it takes to prepare for re-joining the labour market. It may be easier for those with a lower level of skills and expectations. For all, the timely support and encouragement of a skilled adviser can make a huge difference.

Refugee Women

Refugee women face additional barriers and experience multiple disadvantages. Please check the following for further information about refugee and asylum seeking women:

Charter of rights of women seeking asylum: The Charter is a framework of principles aimed at persuading the UK Border Agency to take both a strategic approach to the needs of women seeking asylum and to put in place the operational procedures and safeguards that will remove the discriminatory barriers they face.

www.asylumaid.org.uk/pages/charter_of_rights_of_women_seeking_asylum.html

⁴ 'Race and ethnicity – refugees' *Researching Discrimination and Employability*, ed Pam Coare and Belinda Freda (September 2005) www.surrey.ac.uk/politics/cse/sequel.htm

Background to the refugee experience

Refugee Action: A report by Hildegard Dumper commissioned by Refugee Action 'Is it safe here? Refugee women's experiences in the UK' (December 2002)

www.refugee-action.org.uk/information/documents/researchreport.pdf

Refugee Action's other publications for women:

www.refugee-action.org.uk/information/publications.aspx#Women

Refugee action's campaigns for women:

www.refugee-action.org.uk/campaigns/Women.aspx#Introduction.

Refugee Council: A report titled 'Making Women Visible' (Mar 2005)

<http://www.refugeecouncil.org.uk/policy/responses/2005/women.htm>

Refugee Council's new initiative launched in November 2007 for vulnerable women:

www.refugeecouncil.org.uk/supportourwork/vulnerable-women/

Information, advice and guidance issues for practitioners

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How are refugees and asylum seekers different from other clients?

Refugees and asylum seekers are a hugely varied group and will often have more in common with other clients (of a similar profession, stage in career, work or educational background or ethnic group for example) than with each other. There will also be similarities between most refugees and asylum seekers as a group and other vulnerable groups who need advice and guidance (clients in transition, those with ESOL needs or overseas qualifications that are not recognised or the long-term unemployed, for example). It is important for advisers to respond to these different overlapping configurations and to draw on the skills they have already developed in working with clients with particular work/education histories or with other vulnerable groups. Advisers new to working with refugees can easily feel swamped by the complexity of eligibility rules, requalification processes and so on. This may lead them to abandoning well-honed guidance skills that are likely to be much more what the client needs.

The table below shows some issues that are more relevant for refugees and asylum seekers than any other group or are unique to them. It also suggests ways the guidance practitioner can respond to these differences or advocate for changes to the current system:

Issue:

Multiple and continuing transition (issues arising from fleeing their country, often leaving family behind, from being moved to different parts of the UK and from continual changes in circumstances due to changing immigration status) **with an uncertain outcome** (uncertainty about asylum decision and then whether ILR will be given)

Response:

Need for multiple interventions and short-term action plans, bearing in mind long-term goals. May be apparent contradictions, as a client's choices will depend on what the asylum outcome is.
Need for holistic service with good referral systems for advice about issues outside education, training and employment. The level of uncertainty and constant change experienced by refugee clients mean they need long-term support and guidance.

Issue:

Reasons for being in the UK and fears about those left behind

Refugees have been forced to leave their countries of origin. They may have been traumatised by their experiences. They may have been in prison or have been subjected to violence or persecution.

Many were well off and in high status positions. They may hope to return once the political situation has changed.

They often have worries about the circumstances of those left behind who may have been financially dependent on them. If there is a sudden change in circumstances at home (such as illness, death or financial need), a refugee client might need to suddenly change their plans in response. They may also experience severe emotional effects from being unable to return when there is a family crisis or death.

Response:

If a refugee's experience before coming to the UK has been traumatic, this may not emerge immediately. If/when it does, a good referral for counselling may be appropriate. Confidentiality in the interview needs to be emphasised and how any information about the client will be treated needs to be made clear. Refugees may be anxious about having their photo taken, being videoed or having any publicity. Their permission for such activities always needs to be requested. While the interview space should be private, it is important that it is not too claustrophobic.

Advisers/trainers and service providers need to be sensitive about loss of status and disorientation and the resulting loss of confidence. It is also important not to make assumptions about how the refugee will feel about others in his/her community and accessing services or support from community groups. For some, this is a useful orientation and helps them to make a gradual transition, for others it is not, due to past experiences or a preference to establish a distance from the past.

Advisers/trainers and service providers also need to anticipate refugees' concerns about those left behind and the disruptions, absences or changes in direction these may cause.

Issue:

Lack of documents

Some refugees may have had to flee leaving most of their documents behind. This may include records, documents or references required by educational institutions and employers and those required for CRB checks. Furthermore, due to circumstances in the country of origin, it may be impossible to obtain these after arriving in the UK.

Response:

Refugees who cannot provide records or documents need more flexible ways to meet CRB requirements (see 'Rights and entitlements' on page 19 for more details) and to provide evidence of their skills, education and experience (through APEL processes and structured work placements, for example). A skills audit at the start of the guidance process recording skills and experience gained overseas can help to inform the whole process.¹

Issue:

Unfamiliarity with UK culture(s) or systems

This includes the guidance process itself as well as the education and training system and UK work culture and the job-seeking process.

Assumptions based on structures and values in country of origin (particularly for older refugees) such as attitude to authority, male/female roles, status of certain occupations, qualifications and institutions, assumptions about hierarchies and attitudes to volunteering.

Response:

Orientation programmes can be extremely helpful soon after arrival in the UK. If not available, orientation information in community languages can give a good overview and contacts. In any information, advice and guidance session, it is important to be explicit and not make assumptions about existing knowledge. Understanding needs to be double-checked and it will be necessary to repeat information due to overload in the early stages. It is also a good idea to give information verbally and in writing as individual fluency in spoken or written English may be very different.

Advisers/trainers can usefully correct or challenge assumptions, provide interpretation and give examples and evidence.

¹ See Aldridge, F et al, *Skills Audit for Asylum Seekers and Refugees*, NIACE (2005)

Issue:

High level of mental illness (in comparison to the UK population)

The circumstances that prompted a refugee to flee as well as the difficulties and isolation they can experience when they arrive in the UK may damage refugees' mental health. They may also suffer from a complete loss of confidence.

Response:

Need appropriate referral for counselling and 'safe' environments or appropriate programmes where social engagement plays as important a role as skills development.

Specific issues for education, training and employment

In addition to the problems they face because of their refugee experience, refugee clients raise specific issues for career guidance concerning their access to education, training and employment and its costs. These are outlined below.

Education and training

1) Supporting the refugee to understand the system/culture and make informed decisions: This is key to all IAG work with refugees (see section above). Most (but not all) refugees will be used to an education and training system that is formal, highly structured and competitive with most assessment done through examinations. In many of the refugee-producing countries, choices about what and where an individual studies will be made by the State so career choices and routes to careers can be very prescriptive.

In the UK refugees are often bewildered by the variety of options available, the different institutions offering the same kinds of courses, the different modes of study, the variety of assessment and teaching methods and the concept of formal and informal learning. Consequently, they sometimes expect the adviser to make decisions for them. The importance of developing research and decision-making skills needs to be emphasised and the role of the adviser clarified. The adviser needs to support the client with activities such as gathering information, researching his/her options, accessing quality assessments and checking on the value placed on different options by employers or professional bodies. However, in some circumstances, especially if the refugee is newly arrived, a more directive approach may be appropriate as it may be too difficult for the refugee to take in and interpret the information needed to make a decision.

2) Responding to assumptions about status: The client may have assumptions about value and status of qualifications, institutions or routes to employment that may not be correct for the UK and can lead to poor decisions. Explanations need to be clear and explicit.

An example of 2 interconnected common assumptions are:

Vocational training courses are inferior to academic ones (i.e. a university course will always be better than a further education college course): The client may not be aware that there are different routes to the same goal or may mistakenly believe that some routes are 'inferior'. This can lead them to pay steep fees and spending additional time doing courses at higher education level when an NVQ 3 or 4 from a college of further education might have been a cheaper, quicker and better option. It is helpful for the client to research the qualification and experience requirements for his/her ideal job and to look at newspapers and journals to see what employers are asking for.

A UK higher education degree (especially at postgraduate level) will lead to employment: This is because in many refugee-producing countries, a degree from a good university really *is* a passport to employment. There is intense competition to enter university and there is often high drop-out on courses. University entrants may already have been selected according to labour market demand. This assumption is carried over to the UK. Refugees with this assumption may see any higher education course is as prestigious and postgraduate degrees even more so. If a refugee already has a degree, he/she may be determined to re-enter higher education at undergraduate level or at postgraduate level. This is unlikely to be a good option for most refugees, partly due to costs and time (see below) but also because it may not enhance their employment prospects or earnings.

It is worth exploring what the client expects from higher education and whether or not this is realistic. There may be several routes to the client's goal that do not entail higher education (such as a vocational qualification, work experience or voluntary work).

3) Exploring alternatives: Those with refugee status have the same rights and entitlements and support to education, training and employment as a UK citizen. However, an adult client with Humanitarian Protection (HP) or Discretionary Leave (DL) who has not yet been resident in the UK for three years will have no access to statutory student support until the 3-year period is completed. If in higher education, he/she will also have to pay the new higher tuition costs, up to £3,145 (from September 2008) for one-year full-time without even taking account of living costs (see 'Fees and funding' on page 21). Advanced level further education courses can also be expensive, even for 'home' students.

Clients in this situation may want to consider waiting for the end of the 3-year period and use the intervening time to gain skills he/she will need for the course or for future employment (such as IT or academic writing) or gain UK work experience from volunteering or a placement. On the other hand, he/she may decide to consider alternative routes, such as finding a suitable further education course that has a concessionary fee rate or finding appropriate government training provision for adults.

For asylum seekers, studying at higher education is extremely difficult and risky as they are generally considered 'overseas' students no matter how long they have been in the UK. Generally, the only possible option is to take a part-time course at a university that treats asylum seekers as 'home' students for fees purposes. Even so, the costs with the top-up fees will be prohibitive. Furthermore, there is no predicting when the decision on the asylum claim will be made or whether it will be positive.

Previously further education was more attractive for asylum seekers as most lower-level, part-time courses were free to those supported by NASS. From 2007/08 the LSC is restricting access to asylum seekers and those who have been in the UK for less than 6 months (and aged 19+) will no longer be automatically eligible for publicly funded FE provision.

Unless the client is 16-18, there is no statutory student support. Asylum seekers are not eligible for some training courses, although others (such as those combining vocational skills and ESOL) are permitted. The limited shorter-term options need to be explored - currently part-time further education courses (not advanced level) or voluntary work.

Many refugee professionals want to qualify to practise their profession in the UK. However, professional requalification is a costly and time-consuming process. If a client is thinking of this, it is essential that the adviser support them by looking at the time and expense involved and the likelihood of success. If the client then decides against requalification, they need to look at other options.

For further information about rights and entitlements, fees and funding and the re-qualification process, see sections 'Rights and entitlements to education, training and employment', 'Fees and funding for education and training' and 'Requalification process'.

Employment and volunteering

Asylum seekers are not generally allowed to work but they can volunteer (see 'Rights and entitlements' for more details).

1) Supporting the client to understand the system/culture and make informed decisions:

As with education and training, this is key. Although most refugees have worked before (67% according to a recent survey)², the UK job-seeking process, the labour market and the work culture are very different from their countries of origin. Often they have only been to one job interview where they were asked to present their credentials but the decision had effectively already been made through other processes. Refugees are often unfamiliar with person and job specifications; personal statements on application forms, targeted CVs, equal opportunities monitoring procedures or the idea of 'added value' or 'selling' yourself at interview. Some of this is simply new information and some of these skills are formal and easily learned, but others, involving culture and identity, are deeply rooted and not so easy to change.

As with education and training, making sense of the different options can be difficult. Labour market information is essential, as the client will need to find out whether it is feasible to return to his/her previous occupation. It may not exist or there may be no demand. Equally, there may be attractive options here that were not available in the country of origin. If it is not likely that a return to a previous occupation is possible, it is important to encourage the client to identify transferable skills that might be developed for another career and to research some of the possible options.

2) Addressing concerns about status: This is particularly pertinent for refugees with high level or professional qualifications. They may find themselves applying for entry-level positions in a field where they held a senior position in their country of origin. It is important that they

² *Skills Audit of Refugees*, Home Office (2004)
www.homeoffice.gov.uk/rds/pdfs04/rdsolr3704.pdf

focus on the opportunity to familiarise themselves with the UK work culture, the differences between their specialist field in the UK and in their country of origin, and to acquire soft skills.

3) Clarifying the concept and purpose of volunteering and work placements: Volunteering can be a useful way for refugees (and others) to familiarise themselves with the UK work culture, gain crucial work references and also to learn work-related English. Structured work placements can offer an excellent opportunity to work under supervision with colleagues in the same field. It also helps to identify gaps in skills and knowledge as well as strengths and should provide the opportunity to develop skills. There should be good opportunities for networking. Both volunteering and work placements allow refugees to gain some UK work experience and can provide a reference from a UK employer. The advantages of work placement or volunteering need to be made clear to the client, as this may be a very new concept and not seen as beneficial. The refugee client also needs to be prepared to take advantage of the opportunities offered and to practice negotiating skills with the employer as required. The expectations and role needs to be made clear from the beginning, as well as what support the client can expect from the adviser.

4) Working out the implications of taking paid employment: Once they have a positive decision and permission to work, refugees are often keen to get off benefits and earn an income as soon as possible. They are also often under pressure from their Job Centre to do this. However, as with other clients who are disadvantaged in the labour market, it is unlikely that they will be able to secure appropriate sustainable employment initially.

Three possible scenarios are as follows

Clients may take any job that is available because they want to send money back to their families or because they want to remove themselves from a system they find restrictive and humiliating. However, research shows that high skilled refugees frequently get stuck in low-level work with insufficient time or funds to continue to develop their skills or go through the professional requalification process. Furthermore, if they are working full-time, they will not be able to access free courses that may in the longer-term enable them to move into employment that is closer to their previous overseas work and is, therefore, more sustainable. In this case, the adviser can work with the client to make decisions about short-term priorities, bearing in mind the impact these may have on the client's longer-term goals.

Clients may be considering employment that is appropriate for their career but it may be part-time or short-term temporary work or it may be badly paid. In this case, they need assistance (from Job Centre Plus, for example) in working out what the financial implications are for themselves and their families and what support they can get via a 'Better-Off Calculation' (BOC). They also need to work with the adviser to identify how they will use this position to develop skills and network.

If they are on job seekers' allowance (JSA), clients may be pressured into accepting low-level employment or into inappropriate training even when they are already in the middle of the professional requalification process or on a suitable 'bridging' course. In this case, it is important for the adviser to advocate for the client with the Job Centre and to make them aware that you are supporting the client towards the goal of sustainable employment.

5) Practical requirements that may be problematic for refugees: Some jobs or voluntary or work placement opportunities require Criminal Record Bureau (CRB) checks. It can be difficult to get these because of the requirement for records for the last 5 years. Employers will expect their employees to have a bank account and some jobs also require a valid driver's licence.

For details about how to support your client with these requirements, see www.employabilityforum.co.uk > Refugee employment > Policy > Practical issues

6) Working with employers: It is important to encourage employers to be more proactive in building a diverse workforce and recognising the advantages in employing and offering work placements to refugees. Positive case studies can be very helpful in encouraging employers to get involved (see examples at www.employabilityforum.co.uk > Refugee employment > Refugee projects > Refugee achievers). It can also be useful to provide employers with some background information about refugees to combat some of the preconceptions they may have (see 'Awareness raising resources and methods')

Other issues

Refugees and asylum seekers have to deal with a range of other issues in their lives, apart from education, training and employment and these may need to be addressed first or simultaneously. This means that advisers need to have a reliable network of referral agencies that can address these other issues. They also need to be very clear about where their role ends and when referral is needed. Referral details of organisations dealing with other issues are in 'Useful contacts and resources'.

Rights and entitlements

Guide for Advisers



Education

Refugees and asylum seekers are eligible for all education as long as they satisfy the entry requirements (including English Language) and can pay the fees. Paying the fees and supporting themselves during the period of study are the key issues. What fees they have to pay and the support they are eligible for will depend on a) their immigration status and b) how long they have been in the UK (see 'Fees and funding' on page 21).

Training

Refugees are able to undertake vocational training programmes (such as New Deal, Work Based Learning for Adults, Modern Apprenticeships or college-based courses). For Government training schemes, they do not have to be unemployed for 6 months before starting a course.

Asylum seekers supported by NASS can be accepted onto pre-vocational, 'embedded ESOL' course (such as ESOL and Construction) and some vocational courses in colleges, including those that may have an unpaid work placement as part of the course. However, they cannot access Government training schemes even if they have permission to work. If your client is doing a vocational course that includes an unpaid work placement, he/she should inform NASS of this to avoid any confusion about entitlements.

Employment

Refugees have permission to work. **Asylum seekers** arriving before 23rd July 2002 may also have permission to work, but those arriving after this date generally do not. The statement of permission to work or prohibition from working is on the Home Office documents or the ARC.

The Home Office currently makes an initial decision about most asylum claims within 2 months. However, if they have not made this decision in one year and the delay is not the applicant's fault, he/she can apply to the Home Office for permission to work at this time. This can also be done at a later stage (even during the appeal process) as long as it took more than 12 months for the initial decision to be made.

Applications should be made in writing and should include the asylum seeker's Home Office reference number. The address is:

Lunar House,
40 Wellesley Road
Croydon,
Surrey CR9 2BY

Once an asylum seeker has permission to work, they retain this permission until the final decision is made about their claim (including through the appeal process).

Self-employment

Some refugees already have experience of self-employment or running their own businesses. This may be an attractive option for those with permission to work.

Further information:

Support available for those wanting to set up their own business:

www.employabilityforum.co.uk > Refugee employment > Refugee professionals > Setting up in business

Tool-kit for advisers supporting refugee entrepreneurs: www.refugeesintobusiness.org.uk

Volunteering

Refugees and asylum seekers are allowed to volunteer. In fact, the Home Office is keen to encourage asylum seekers and refugees to volunteer. They emphasise, however, that in the case of asylum seekers, it is important to understand that there is no connection between volunteering and a positive decision on a claim for asylum. Also there are some restrictions for asylum seekers volunteering (see below). There are no restrictions for refugees.

They also emphasise that organisations that have asylum seekers as volunteers need to ensure that the activity being undertaken by an asylum seeker is genuinely voluntary and does not amount to employment. If the work involved is unpaid and is carried out on behalf of a charity, voluntary organisation or body that raises funds for either or if it is in the public sector then it will be accepted for immigration law purposes as volunteering. The volunteer can be paid for travel, lunch and other costs actually incurred, but cannot be paid a flat-rate allowance. It is a good idea for asylum seekers who are doing voluntary work to inform NASS of this activity.

If you have any queries about this, you can contact:

Refugee Integration Section (Volunteering)
6th Floor,
Apollo House
36 Wellesley Road, Croydon, CR9 3RR

Two useful practical sites for volunteering:

www.doit.org.uk

www.volunteering.org.uk

Fees and funding for education and training

Guide for Advisers



Further Education¹

Fees

The level of fees charged for courses at most further education colleges in England depends on:

- Immigration status and how long the student has been living in the UK
- Whether the student is receiving state benefits (i.e. Jobseekers Allowance, Housing Benefit, support from the Social Services or support from NASS)
- How the course is funded
- Age of the student
- Full-time or part-time

Immigration status and length of time in UK: Refugees (with or without ILR), those with HP/DL/ELR and ILR are charged 'home' fees. Due to new restrictions, adult asylum seekers who have been in the UK for less than 3 years who are receiving NASS support (as well as those who are not receiving NASS support) can be asked to pay 'overseas' fees. However, asylum seekers who are 16 -18 are still eligible for 'home' fees (see below).

Receiving state-based benefit (including NASS): Many part-time courses are free or at a concessionary rate for those who are unemployed or receiving state-based benefits. This concessionary rate varies between colleges and courses. The college will usually charge a registration fee. However, due to new restrictions, **asylum seekers supported by NASS are no longer automatically eligible for free ESOL.**

They are eligible if:

- They are still waiting for a decision on their claim or appeal after six months
- They have been refused asylum but are unable to return due to circumstances beyond their control and are receiving 'Section 4' support
- They are aged 16 -18 years and are receiving NASS support, or are unaccompanied children seeking asylum and in the care of social services. If they become 19 years old while on a course, they can continue studying until the end of that course. If they are on a course waiting list and become 19 years old before a place is available, they can also study that course for free.

¹ For further details on recent changes, see: Refugee Council briefing: ESOL and Further Education Changes 2007/08 announced by the Learning and Skills Council (November 2007):

www.refugeecouncil.org.uk > Policy and Research > Briefings > ESOL funding

The Refugee Council have also produced a 'Short Guide for Advisers on Access to Further Education', found with the ESOL briefing on the Refugee Council website.

Who funds the course: Courses that are not publicly funded will charge full fees. This includes many higher-level courses. However, it is possible to get fee remission for Level 2 and 3 programmes ('Level 2 and Level 3 entitlement'), depending on previous qualifications, age, 'ordinarily resident in the UK' and other eligibility criteria.

Age of student: Students who are 16 –18 will be eligible for 'home' fees. Those who are 19+ and want to take a Level 2 course or those who are 19-25 and want to take a Level 3 course and who are 'ordinarily resident in the UK'² may be eligible for fee remission.

Full-time or part-time: Most courses at FE are part-time. The full-time courses are mainly for those aged under 19 and are generally free for this group. Those 19 or over studying full-time will usually have to pay and it will also affect their benefits. The exception is those who have refugee status and start an English course of 15+ hours per week within a year of arriving in the UK. They can claim welfare benefits while studying for up to nine months.

Student support

Whether or not students can access statutory financial funds to cover the additional costs/support needs while studying at FE depends on:

- Immigration status and how long the student has been living in the UK
- Age of student
- Type of funding

Type of funding	Who is eligible now?	Who is eligible after 3 years (ordinarily resident requirement)?	Who is not eligible?
Learner Support Funds	Refugee status (with or without ILR) Asylum seekers age 16-18	Those with ELR, ELE, HP, DL or ILR (without refugee status)	Asylum seekers age 19+
Education Maintenance Allowance (for learners age 16-19)	Refugee status (with or without ILR) Those with HP	Those with ILR (without refugee status)	Asylum seekers Those with ELR/ELE Those with DL

Colleges may also have some discretionary funding that they can use to support students in need. If a student is unable to access the student support outlined above, this may be an option.

Documents required when registering

When registering for a course, students need to take:

- Home Office documents to show immigration status
- Proof of receiving state benefits (such as letter from NASS or Job Centre)

² In the UK and Islands (Channel Islands and Isle of Man) for three years or more

Higher Education

The fees and student financial support system in higher education is in transition from the 'old' to the 'new' system. From September 2006, universities and colleges in England have been able to charge tuition fees (from September 2008 of up to £3,145 a year) for 'new' full-time students. For several years there will be 'old' and 'new' system students at university together with different fees and funding regimes.

Living costs need to be added to the tuition fees. The new higher rate of tuition fees makes it even more urgent for anyone who is thinking about this option to find the answer to two questions before going any further:

- Will they be charged the 'home' or 'overseas' rate for tuition fees?
- Will they be eligible for student support? This includes help with tuition fees, grants, loans and bursaries.

The adviser needs to know the client's immigration status and the date of the claim for asylum, as this will have a direct effect on fees and funding. The higher education institution will also want to see the Home Office documents showing immigration status and dates.

The relationship between immigration status and fees and access to funding is summarised as follows:

Those with ELR, ELE, HP, DL or ILR (without refugee status) or the spouse or child of someone with this status (this includes those waiting for decisions on their application for further leave³): They pay 'home' fees for full and part-time courses (as determined by the Education Regulations 1997 Fees and Awards. They may also be eligible for student support for first degrees, postgraduate initial teacher training and other specific 'designated courses' (such as Higher National Certificate or Diploma and Foundation Degree) if they meet the 'ordinarily resident' criteria⁴ In practice, for most people this means at the time the course starts, it should be 3 years or more from the time they claimed asylum.

Those with refugee status (with or without ILR) or the spouse or child of someone with refugee status: They pay 'home' fees for full and part-time courses (as determined by the Education Regulations 1997, Fees and Awards). They are also eligible for student support for first degrees, postgraduate initial teacher training and other specific 'designated courses' (such as Higher National Certificate or Diploma and Foundation Degree). It does not matter how long they have been in the UK as there is no requirement to meet the 3-year 'ordinarily resident' criteria.

Asylum seekers: The institution can charge 'overseas' fees for full and part-time courses and most do this. However, as it is left to the discretion of the university, some will charge 'home' fees and others may be open to charging 'home' fees or providing some assistance with fees on an individual basis. The best way to find out is by presenting the individual case to the university. Asylum seekers are not eligible for student support. It does not matter how long they have been here. For further details please check the following:
www.refugeecouncil.org.uk/NR/rdonlyres/65B79EEF-98D8-4987-A6F9-9916FF09F323/0/HE_for_advisers.pdf

³ The Department of Innovation, Universities and Skills (DIUS) has recently given incorrect guidance to local authorities on this. They have now confirmed that this was wrong and that those with outstanding applications for further leave are eligible for student support. See www.refugeecouncil.org.uk/news/news/2007/august/20070829.htm

⁴ In the UK and Islands (Channel Islands and Isle of Man) for three years or more

Changes to immigration status in the middle of a course

If a student has a positive decision while on a course, they should tell the university immediately as they can be reassessed for 'overseas' or 'home' fees and for student support. For any positive decision, they will be eligible to pay 'home' fees when the fees are next charged. For student support, it depends on the decision:

- **Refugee status (with or without ILR) or the spouse or child of someone with refugee status:** they will be eligible for assistance with paying fees for the subsequent years of the course and also for the current year, if the status is given within 3 months of the first day of the start of the course. They will also be eligible for support with living costs from the first quarter following the change in status.
- **Those with ELR, ELE, HP, DL or ILR (without refugee status) or the spouse or child of someone with this status:** They must also meet the 3-year 'ordinarily resident' requirement (see above) before they are eligible for student support.

Further information about further and higher education:

HERO: HERO is the official gateway to universities, colleges and research organisations in the UK.
www.hero.ac.uk/uk/home/index.cfm

Higher Education Student Support: www.dcsf.gov.uk/studentsupport/

Student Finance:

www.direct.gov.uk/en/educationandlearning/universityandhighereducation/studentfinance/index.htm

LSC Learner Eligibility Guidance 2007/08:

readingroom.lsc.gov.uk/lsc/National/LSC_learner_Eligibility_Guidance_2007-08-Final.pdf

UK Council for International Student affairs:

www.ukcisa.org.uk/ > Advice for International Students > Complete list of Information Sheets > Asylum and Studying

Find a university:

www.hero.ac.uk/uk/universities_colleges/index.cfm

Bursary map: bursarymap.direct.gov.uk/

Fee liability and entitlement to student support for refugees and asylum seekers starting first-degree higher education courses (and the postgraduate initial teacher training course) in England from September 2008⁵

Immigration status	Mode of study	Level of fees and support with fees	Other student support ⁶
Asylum seeker	Full-time	Discretion of university. Generally charge 'overseas' rate but some charge 'home' rate Not eligible for student loan for fees ⁷ or university bursary to cover part of fees ⁸	Not eligible
	Part-time	Discretion of university. Generally charge 'overseas' rate but some charge 'home' rate Not eligible for a course and fee grant ⁹	Not eligible
Refugee status (with or without ILR)	Full-time	'Home' rate If on lower household income, eligible for student loan for fees and also eligible for university bursary to cover part of fees	Eligible
	Part-time	'Home' rate If on lower household income, eligible for a course and fee grant	Eligible
HP, DL, ELR, ILR (without refugee status)	Full-time	'Home' rate If on lower household income and meeting 'ordinarily resident' criteria ¹⁰ , eligible for student loan for fees and also eligible for university bursary to cover part of fees	Eligible if meeting 'ordinarily resident' criteria
	Part-time	'Home' rate If on lower household income and meeting 'ordinarily resident' criteria, eligible for a course and fee grant	Eligible if meeting 'ordinarily resident' criteria

⁵ The information in this table has been carefully checked and is presented in good faith but we accept no legal responsibility for its accuracy (RAGU September 2008)

⁶ Full-time students in 2008/2009: Apart from student loans for fees and university bursaries, student support consists of a non-repayable Maintenance Grant (up to £2,835 per year) for students from households on a lower income, a non-repayable Special Support Grant (up to £2,835 per year) for full-time students (mainly lone parents, other student parents and students with disabilities who are eligible to receive benefits) and Student Loans (maximum range from £3,580 - £6,475 per year). Students cannot receive both the Maintenance Grant and the Special Support Grant. There is additional financial support for those with specific needs such as the Parents' Learning Allowance, Child Tax Credit, Adult Dependents' Grant and the Disabled Students' Allowance.

Part-time students in 2008/2009: If the tuition fees are more than the amount of support available through the fee and course grant, there may be additional support available from the university. There is also further help for disabled students.

⁷ Student loan for fees (up to £3,145)

⁸ University bursary – on average this is expected to be about £1,000 in 2008/2009

⁹ Fee grant and course grant for part-time undergraduate students from households with a lower income who are studying at least 50% of a full-time course (not eligible if on a part-time teacher-training course). The maximum range is £1,435 per year (2008/2009). It depends on income level and on how intensive the course is.

¹⁰ 'Ordinarily resident' in the UK and Islands (Channel Islands and Isle of Man) for 3 years prior to the start of the course. In practice this usually means that at the starting date of the course it must be at least 3 years since the claim for asylum.

Other sources for those who are not eligible for statutory or discretionary university funding

It is extremely difficult to find sources of funding for asylum seekers or others who have not yet met the 3-year ordinarily resident criteria (see above). Educational trusts and charities have some limited funds but these would not usually cover fees for a whole academic year, let alone a whole course. These sources are more likely to be useful for a student who has already completed a good part of the course successfully and only needs help for a limited period or needs help with specific one-off expenses. Some universities may have additional discretionary funding that they can use for students in need.

Finding funds to meet the costs of higher education (even for part-time studies on 'home' fees) is a difficult and time-consuming job. Asylum seekers, particularly, are not eligible for most funding sources.

Further information on funding:

The Council for Assisting Refugee Academics (CARA) has a useful handbook, 'Higher Education Pathways' (free to refugees and asylum seekers) which includes lots of information on funding courses in higher education. It also includes guidelines for applying to trusts (with a model letter). Contact them on 020 7021 0880 or look at <http://www.academic-refugees.org/>

It is also possible to use the Advice-Resources Funding Directory to support learners through the process of applying for educational funding: www.adviceresources-fundingdirectory.co.uk/

Training and self-employment

Career development loans to help to pay for training are available only to those with **ILR**. For more details see www.direct.gov.uk/cdl

The UK Border Agency (the executive agency of the Home Office assuming the responsibility of the Immigration and Nationality Directorate (IND) last year launched the **Refugee Integration Loan**. From 11th June 2007 **all those aged 18+ granted refugee status or HP and their dependants** can apply. This is an interest-free loan intended for items and activities that facilitate integration, particularly related to education, employment and housing. It can cover financial help for training, employment or self-employment and the re-qualification process. The loan can also be used to cover childcare costs. The application form can be downloaded from the website below.

For more details and FAQs:

www.ind.homeoffice.gov.uk/aboutus/workingwithus/workingwithasylum/integration/integrationloan/

Getting recognition for overseas qualification and experiences

Guide for Advisers



Refugees who come to the UK with qualifications and solid work experience behind them are disheartened by how difficult it is to enter the labour market or re-enter education or training at an appropriate level. Apart from the general barriers already discussed, those specific to this group are:

Poor recognition of documented overseas qualifications and experience by employers and education and training institutions: This is explained in a recent report (Coare and Freda, 2005) as 'ethnocentric credentialism' where qualifications, experience and training gained in other countries (particularly those held by black refugees and those from developing countries) are not recognised

Lack of documentation to prove qualifications and experience due to circumstances of leaving the country of origin (for some but not all refugees)

The need to update skills (including ESOL, specialist English and IT) to the standard required in the UK workplace

Some refugees become so discouraged about the way their past experience and qualifications are viewed that they start to discount them and will even stop including them in CVs and application forms. An adviser can support refugee clients to get what recognition they can through formal channels and then to reflect on and record their past learning and experience so that they can use it more proactively and creatively to shape their future. An adviser can also support qualified and experienced refugees in advocating for themselves with employers and educational institutions to get proper recognition and acknowledgement about what they have achieved.

Getting recognition for documented overseas qualifications

The main body that compares international qualifications with those in the UK is NARIC, although UCAS also provides information on international qualifications and entry to HE. This is free to UCAS member institutions and available online using a password. For individuals, copies of 'UK and International Qualifications' are available on CD-ROM for £9.99 from www.ucasbooks.co.uk or phone **01242 544610**.

NARIC assessments are intended as guidelines or 'starting points' and it is important that the client understands this as it can be very disappointing to feel that a hard-earned degree has been undervalued. There is no legal requirement for educational institutions, professional bodies or employers to use the NARIC equivalents. They may refer to them and/or they may use a range of other means to assess qualifications and experience. If a refugee client's degree is considered to be the equivalent of a UK degree, this is useful, but if not, it is up to the client to provide additional information and evidence (such as duration of course, course content, the

Getting recognition for overseas qualifications and experience

level of competition to get onto the course and the reputation of the university) to educational institutions or employers.

NARIC gives free comparability advice to refugees over the telephone on **0870 990 4088**. They need the following information:

- Qualification title
- Awarding institution
- Length of course
- Date of award

Apart from this, NARIC charges for its services (£47.00 or £39.95 for a letter explaining which UK qualification is the equivalent of the overseas one held). Translating the document incurs additional costs so it is important to work out whether the client really needs this. If your organisation subscribes to NARIC, you can find out this information for the client and if not, you may be able to access it through your local Nextsteps partnership.

Further information:

www.naric.org.uk (academic or professional qualifications)

www.uknarp.org.uk (vocational qualifications)

For many professions it is the professional body that sets requirements for those with overseas qualifications wanting to practise in the UK. They may use NARIC assessments in conjunction with other methods or they may hold their own information about overseas qualifications in the professional field. The professional body's assessment of membership level and exemptions it gives may be more positive than the NARIC 'academic' response (see 'Requalification process').

Getting recognition for experience

Many refugees do not have certificates or transcripts so they cannot go through the formal recognition of qualifications described above. In this case, the onus is on the refugee client to provide the evidence to prove the experience. This can be done through:

Building a portfolio: A portfolio is an organised folder of documents and other evidence of past experience and skills. What it contains depends on how it will be used – it could be a simple documents or a highly complex record. It could include any of the following:

- CV
- References from employers (paid or voluntary)
- Transcripts of units / modules covered at college or university
- Full details of any courses taken and the learning outcomes
- Full details of any positions held (paid or voluntary) and the learning outcomes
- Abstracts of theses, dissertations or research projects
- Photographs of creative work (for artists, designers, architects)
- Action plans made with an adviser

Getting recognition for overseas qualifications and experience

- Newspaper or magazine articles by or about the client's work
- Any other evidence of academic or work achievement

Assessment of Prior Experiential Learning (APEL)

APEL involves looking at learning that comes from experience (including paid or voluntary work experience, hobbies, life experience or training) and recognising this formally. The learning first needs to be documented carefully. This can be done by building a portfolio (see above). The portfolio can then be assessed by an educational institution, using four main criteria:

- Is it valid and reliable?
- Is there enough evidence to support the claims?
- Is the evidence clearly the applicant's own achievement?
- Is the knowledge recent or out-of-date?

The process of gathering together the material for the portfolio and the analysis and reflection that is involved in writing the portfolio is a useful exercise in itself. It tends to build confidence by validating past experience and it helps refugees to articulate and evidence their skills and experience in interviews.

Further information:

UCAS give some useful information about using APEL to access higher education at: http://www.ucas.com/students/beforeyouapply/accred_prior_learning/

Volunteering or work placement

This is another way of having a client's experience recognised and also to update skills, build confidence and learn about the UK work culture in the refugee's specialist area. A volunteering position or work placement is unlikely to be at the same level as the work the refugee client did in his/her own country but offers the opportunity for him/her to demonstrate skills and knowledge. If successful, it will then provide a UK reference to substantiate this.

OSAT (On-site Assessment and Training)

If a refugee client has experience in a construction trade but no qualifications or reference to prove it, it may be possible to have this recognised through OSAT. This is only possible for refugees who are working, however, as it has to be arranged through an employer.

See www.citb-constructionskills.co.uk

Requalification process

Guide for Advisers



Understandably, one of the first things refugee professionals want to find out from an adviser is how they can practise in the UK or how they can continue professional or vocational training that was interrupted. This is where high quality advice and guidance is crucial. However, because the requalification process is complex, costly and subject to frequent change, it is often difficult for the non-specialist adviser to keep up-to-date or even to know where to find current clear information. Both adviser and client tend to focus on the regulations of the requalification process without first calculating the costs and the likelihood of success and questioning whether requalification is necessarily the best option. If it is, then it is important that the client receives accurate information and referrals to start the process as soon as possible. Otherwise there is a danger that he/she will have become de-skilled before being ready to practise. If it is not the best option, then it is better to find out before embarking on the process so that the client and adviser can work together to identify transferable skills that could lead to other options.

A middle way that may suit many clients is to start the process with requalification as a long-term goal while simultaneously working towards shorter term employment in an intermediate position in the same professional field, using transferable skills (working as a classroom assistant, for example, while planning to re-qualify as a teacher). This keeps the client's skills up-to-date and he/she improves work-based English and understanding of work practices in the profession in the UK while in employment.

In initial discussions with the refugee client about requalification, it is important to consider:

- The time it takes (including any training/probationary period at a low salary)
- The expense and whether there is any funding to cover this
- The level of English needed and how long it is likely to take to achieve this level
- The age of the client and whether it is realistic (if the client has a low level of English, the re-qualification process is lengthy and he/she is in his/her 40s or 50s, for example)
- The labour market and whether there is a demand for this profession (especially at entry level) or whether the market is already saturated
- Whether the job is similar in the UK or completely different, making skills and experience less relevant
- What the other options are (using transferable skills to move to a related profession or changing career completely)
- Immigration status – if the client is an asylum seeker, researching the profession and preparing for re-qualification (by volunteering or specialist ESOL, for example) is more realistic

Some clients are interested in exploring other options and may even welcome a radical career change. Others will want to requalify, no matter what it costs or what it takes because they feel they have a vocation. Whatever the case, it is important to explore this fully at an early stage.

Requalification process

When considering requalification, it is important to contact the professional body. Many professions are regulated (Medicine, Law, Teaching and Architecture for example) so it is against the law to practise without meeting the standards set by the professional body. Others are not (such as Engineering, Careers Guidance or Finance) but there are still common exams that are expected by employers, although it is legal to practise without these. The professional body can advise on the requalification process and can also assess whether or not the client's overseas qualifications can be recognised (or partially recognised). The level of service they provide varies but some can also provide advice, support and access to their specialist libraries.

While preparing for requalification or while going through the process, the client can develop skills in his/her profession, compare the profession in his/her country of origin and start to network through:

- Taking a profession-specific English course
- Getting work experience through volunteering or work placement
- Attending a study group for the profession
- Joining a professional database (currently available for doctors, dentists, nurses, teachers and engineers)
- Attending a 'bridging' course
- Building a portfolio (see 'Getting Recognition' on page 28)
- Reading professional journals to keep in touch and to look at job vacancies
- Going to public lectures organised by the professional body or university departments

Further information on requalification:

General websites/publications:

www.prospects.ac.uk

www.get.hobsons.co.uk

National Refugee Integration Forum, *Rebuilding Lives – Groundwork progress report on refugee employment*, June 2006 pp17-22

www.employabilityforum.co.uk > Events & Publications > Publications

For Health Professionals:

www.rose.nhs.uk (The website is in the process of being updated).

For Teachers:

www.gtce.org.uk

www.refugeesintoteaching.org.uk/

For Engineers:

www.olmec-ec.org.uk/main.cfm?Type=SF&MenuId=344

For Social Workers:

www.gscw.org.uk

For Veterinary Surgeons:

www.rcvs.org.uk

For Law Professionals:
lawsociety.org.uk

Useful contacts and resources

Guide for Advisers



Information advice and guidance material

Guide for Refugees and Asylum Seekers: The companion guide to this one with information on education, training and employment for refugees and asylum seekers, produced by RAGU at London Metropolitan University. It is translated into 9 community languages and you can download it as a whole or in sections to give to your clients. www.advice-resources.co.uk Home> Resources> advice-resources> Guide for Refugees and Asylum seekers

Guides for Advisers and Service Providers: Refugee Council has produced online guides divided into sections including: asylum process and support system, education and employment entitlements and accessing healthcare. Each section has practical steps an adviser can take when a client has trouble accessing the services and support they are entitled to. There is also a contacts list for various regions around the UK. www.refugeecouncil.org.uk/practice/

Employment and Training Advice for Refugees: What Works?: A briefing based on an enquiry by Ruth Hawthorn and Charles Jackson, NICEC Fellows in 2005 for the Careers Advice Service (previously known as learndirect Careers Advice). It identifies the agencies that offer advice to refugees, explores the main elements of good practice in work with refugees and identifies action points for IAG services. www.crac.org.uk > NICEC > Publications

Mainstreaming refugee and migrant guidance: a Leonardo project involving Education Action, the University of Glasgow and other partners, this website has information to meet the needs of vocational guidance advisors, counsellors and all others who support refugees, asylum-seekers and migrants in their efforts to prepare for education and work in their new countries. It contains both information materials accessible to all and an online course for registered students. www.gla.ac.uk/rg

The National Guidance Research Forum: This website has a link to a Leonardo da Vinci project, 'Rainbow' aimed at increasing multi-cultural competence for those working with asylum seekers, refugees and immigrants. They have a web-based service which includes a bibliography, articles, online resources and information and training material. They also offer an in-service training course in multi-cultural competence. www.guidance-research.org/EG/equal-opps/EOAIR/

Diversity Works Placement Guide (November 2007), Work Placements in Local Authorities for refugee professionals (November 2007) and Report on Delivering Placements in Schools for refugees (June 2007): Three useful guides from RAGU at London Metropolitan University examining work placement programmes for refugees in different sectors.

www.londonmet.ac.uk/ragu > Publications and Research

Opportunities for refugee health professionals: Illustrated career pathways (December 2007).

www.londonmet.ac.uk/ragu > Publications and Research

Diversity Works in the NHS (September 2006): A report based on research carried out by RAGU at London Metropolitan University on placements of refugee professionals in the NHS. Includes guidelines and recommendations (for refugee agencies, employers and policy makers) that are useful for work placements in any sector.

www.londonmet.ac.uk/ragu > Publications and Research

Skills Audits for Asylum Seekers and Refugees - A Practitioners Manual (NIACE 2005):

a guide to doing a skills audit with hints and general IAG work with refugees, including blank forms and proforma guides to interviewing and presenting personal histories.

www.niace.org.uk/Publications/S/skillsaudits.asp (ISBN 1 86201 273 3)

Advising for adaptation: A guide to personal adviser-mediated IAG, careers and skills adaptation support for migrants and refugees:

www.niace.org.uk/Research/ASR/Advising%20for%20adaptation.pdf

ROSE: This is an NHS led website to support refugee and overseas qualified health professionals who are settled in the UK and intend to return to work in the health sector

www.rose.nhs.uk (Rose site is currently being updated).

Refugees into Teaching: This website includes online tool for refugees who are interested in starting or continuing a career in the UK education sector, including schools, colleges and higher education institutions. This online tool is developed and maintained by the Refugee Assessment and Guidance Unit of London Metropolitan University.

www.routesintoteaching.org.uk (This site is currently being updated).

Networks and email groups

Forced migration discussion list: Maintained by the Refugee Studies Centre at Oxford University, this discussion list disseminates information about such events and academic research projects generally. You can register and search the archive of emails at www.jiscmail.ac.uk/lists/forced-migration.html

Refugee education mailing and discussion list: This yahoo groups list (REFED) has been set up to support teachers and other professionals who are working with refugees and asylum seekers, The idea is to promote the discussion of practice issues and to support colleagues through the exchange of ideas and resources. You can join through: <http://groups.yahoo.com/group/refed>

Network of health professional working with refugees (Medact): The members of the network aim to share information and best practice amongst those working to facilitate improving the health of refugees and asylum seekers. You can join at www.medact.org > Refugee Network

HERAN (Higher Education for Refugees and Asylum seekers Network): Set up by RAGU at London Metropolitan University, this network brings together those working in HE on projects for refugees and asylum seekers. Find out more from www.heran.org.uk. HERAN site is currently being updated.

Awareness raising resources and methods

There are lots of myths circulating about asylum, not helped by inaccurate reporting in the media. A recent independent report¹ by ICAR found the asylum coverage of the national press was frequently unbalanced and inaccurate.

Some of the typical myths circulating about refugees and asylum seekers are:

- The UK takes more than its fair share of refugees
- Asylum seekers are benefits shoppers
- Asylum seekers, refugees and migrants are a drain on the economy/on the NHS
- Asylum seekers come here to take advantage of our benefits system
- Our asylum system is an open door for terrorists

Hostile attitudes from the host community, resulting from misinformation, prejudice, racism and fear of the 'other', will obviously have an impact on the daily lives of refugees and asylum seekers. Two recent pieces of research by Refugee Action (*Is it safe here? Client Feedback on Refugee Action's One Stop Services*) found that:

¹ *Monitoring London's press coverage of refugees and asylum seekers*, ICAR (2006)

Useful contact and resources

- 50% of their clients were worried about being subjected to harassment or abuse because they are asylum seekers
- 33% of refugee and asylum seeking women say they feel unsafe; and
- 83% of refugee and asylum seekers say they do not go out at night as they are scared of abuse and harassment.

As a result of these findings, they have started a Refugee Awareness Raising Project to work with communities in several UK cities (see <http://www.refugee-action.org.uk/RAP/>).

Advisers working in this field are likely to come across negative attitudes to asylum seekers and refugees and it is useful to have some facts to counter some of the myths in circulation about refugees and asylum seekers. See:

www.refugeecouncil.org.uk > Practical Advice > Basics on Asylum > The truth about asylum

www.asylumaid.org.uk (see 'Claiming Asylum' on the home page)

www.refugee-action.org.uk > Information > Challenging the Myths

www.icar.org.uk/5838/research-directory/asylum-understanding-public-attitudes.html

Visual and audio material

Refugee Week, held every June, can be a good focus for awareness raising activities (see www.refugeeweek.org.uk). If you want to organise an event, you can get support and material and you can also find out about other events in your area. There is also a huge amount of audio-visual material you can use from the Internet. See:

www.icar.org.uk > Information Resources > Real Lives section

This part of the site is currently under construction.

www.refugeestories.org

Website on the refugee oral history project developed by the Evelyn Oldfield Unit and Department of Applied Social Science (DASS) at London Metropolitan University. Divided into different themes, you can hear the refugees talking about their experiences.

Specialist refugee agencies

RAGU (Refugee Assessment and Guidance Unit)

www.londonmet.ac.uk/ragu
London Metropolitan University
The Learning Centre
236-250 Holloway Road
London N7 6PP
020 7133 2110

Refugee Council

www.refugeecouncil.org.uk
240-250 Ferndale Road
London SW9 8DB
020 7346 6700
Advice Line: 020 7346 6777

Refugee Action

www.refugee-action.org.uk
The Old Fire Station
150 Waterloo Road
London SE1 8SB
020 7654 7700

Employability Forum

www.employabilityforum.co.uk
2 Downstream
1 London Bridge
London SE1 9BG
020 7785 6270

Migrant Helpline

www.migranthelpline.org.uk
The Rendezvous Building
Freight Service Approach Road, Eastern
Docks
Dover CT16 1JA
01304 203977

Refugees Into Jobs

www.brent.gov.uk/regen2.nsf > Refugees
into Jobs
3-7 Lincoln Parade
Preston Road
Wembley
Middx HA9 8UA
020 8937 1234

Refugee Women's Association (RWA)

www.refugeewomen.org.uk
Print House
18 Ashwin Street
London E8 3DL
020 7923 2412

Council for Assisting Refugee Academics (CARA)

www.academic-refugees.org
London South Bank University
90 London Road
London SE1 6LN
020 7021 0880

PRAXIS

www.praxis.org.uk
Pott Street
London E2 0EF
020 7729 7985

Referral organisations for issues outside education, training and employment

Immigration

Home Office – UK Border Agency
www.ind.homeoffice.gov.uk > asylum
0845 602 1739 (asylum support)
0870 606 7766 (immigration enquiries)

Asylum Aid
www.asylumaid.org.uk
28 Commercial Street
London E1 6LS
0207 377 5123

Refugee Legal Centre
www.refugee-legal-centre.org.uk
153-157 Commercial Road
London E1 2DA
0207 780 3220

Joint Council for the Welfare of Immigrants (JCWI)
www.jcwi.org.uk
0207 251 8706 (Advice Line)
Tuesdays and Thursdays 2-5pm (private individuals)

Immigration Advisory Service
www.iasuk.org
ukadvice@iasuk.org (Advice)

Law Centres
www.lawcentres.org.uk
0207 387 8570

Bail for Immigration Detainees (BID)
www.biduk.org
0207 247 3590

British Red Cross
www.redcross.org.uk
Tel: 0870 170 7000

National Coalition of Anti-Deportation Campaigns (NCADC)
www.ncadc.org.uk
0121 554 6947

Health

Health for Asylum Seekers and Refugees Portal (HARP)
www.harpweb.org.uk

NHS Direct
www.nhsdirect.nhs.uk
0845 4647

Guides for Advisers and Service Providers (Refugee Council) – section on accessing healthcare
www.refugeecouncil.org.uk > Practical advice > Guides > Support Packs > Health

Medical Foundation for the Care of Victims of Torture
www.torturecare.org.uk
111 Isledon Road
London N7 7JW
0207 697 7777

Housing

Shelter

0808 800 4444 (8am to midnight)
<http://england.shelter.org.uk> (England)
Shelter's new guide for refugees and asylum seekers is published in October 2008

Refugee Housing Association

www.refugeesupport.org.uk
MHT House
Crescent Lane
London SW4 9RS
0207 501 2200

Resources from www.advice-resources.co.uk

Directories

The Learning Directory – A national database of over 950,000 courses from 10,000 providers in England, Scotland, Northern Ireland and Wales.

Job Profiles – A database of 700 Job Profiles - information on salary, type of work, qualifications needed and other information for those jobs.

Other resources for clients to use independently or with support

Career Values Tool – An online questionnaire designed to assist clients in making the most suitable career decisions based on what they value is important from a job.

<http://careersadvice.direct.gov.uk/helpandadvice/dmr/>

Skills and Interest Assessment – Assesses users' skills and interests and suggests job groups. Intended to open up career options instead of closing doors.

<http://careersadvice.direct.gov.uk/helpwithyourcareer/skills/>

CV Builder www.cvbuilder-advice-resources.co.uk/

- Has four options on the home page. Clients can choose Build my Job Seeking Skills, 'Build my CV Confidence', 'Build my CV Knowledge', 'Build my CV'. There are short workout exercises (5-10 minutes which include games) to help clients think about what an employer wants to see in a CV. Plus plenty of info on filling in CVs, application forms and covering letters. It includes case studies and example CVs.

Disability awareness open learning resource for practitioners: This resource provides an introduction to learning difficulties and disabilities, with links and further references providing the opportunity for advisors to explore any areas of interest. Aims to raise awareness on general disability issues including: disclosing a disability; Disability Discrimination Act (DDA); funding; and making a complaint.

The Skills for Business Network: The network is made up of licenced Sector Skills Councils and their regulatory body, the Sector Skills Development Agency. This network is responsible for improving skills and productivity within the UK.

http://www.skillset.org/skillset/role/sector_skills_councils/article_1839_1.asp

A guide to commissioning migrant and refugee community organisations

A new guide has been published in 2008 to help commissioners, migrant and refugee community organisations (MRCOs) and the bodies that support them to deliver services that meet the needs of refugees and new migrants, while simultaneously promoting the role of MRCOs.

www.jrf.org.uk/bookshop/eBooks/2166-migrant-service-provision.pdf

The Basis Project: This is a new, England-wide service giving support to refugee community organizations.

www.thebasisproject.org.uk/

Glossary

Guide for Advisers



APEL – Assessment of Prior Experiential Learning

ARC – Application Registration Card (given to asylum seekers)

Asylum seeker – a person with an outstanding claim for asylum

CRB – Criminal Records Bureau

DL – Discretionary Leave to Remain

DWP – Department for Work and Pensions

ELE – Exceptional Leave to Enter

ELR – Exceptional Leave to Remain

EMA – Educational Maintenance Allowance

ESOL – English for Speakers of Other Languages

HP – Humanitarian Protection

IAG – Information, Advice and Guidance

ILR – Indefinite Leave to Remain

JSA – Jobseeker's Allowance

NARIC – National Recognition Information Centre

NASS – National Asylum Support Service

NRP – National Reference Point

Portfolio – An organised folder of documents and other evidence that shows what a client has done in the past

Glossary

RAGU – Refugee Assessment and Guidance Unit

RCO – Refugee Community Organisation

Refugee status – An immigration status given to those the Government recognises as a refugee

UCAS – Universities and Colleges Admissions Service

UKCISA – The Council for International Student Affairs

WBLA – Work Based Learning for Adults

www.advice-resources.co.uk



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