

Benefits for asylum seekers given leave to remain

Are you an asylum seeker who has recently been granted leave to remain in the UK? If so, any money you were getting from the Home Office will stop. If you still need some financial help you may be able to claim benefits instead. Benefits are money that can be paid to you by the government depending on your circumstances. This leaflet tells you what benefits you may be able to claim and what to do if you are having problems getting paid.

This leaflet tells you what benefits you may be able to claim if you have been granted Indefinite Leave to Remain, exceptionally outside of the immigration rules, Refugee Leave, Humanitarian Protection or Discretionary Leave.

What benefits can I claim?

If you are looking for work

You may be able to claim jobseeker's allowance.

If you are unable to work

If you are a lone parent, or are looking after someone who is disabled or ill, you may be able to claim income support. If you are ill or disabled you will need to claim employment and support allowance and you will have to send in a medical certificate from your doctor which states that you are unable to work.

If you have children

You should claim child tax credit. You can claim child tax credit whether you are working or not. The amount you get will depend on how much other money you have. You should also claim child benefit. You can claim this whether you are working or not.

If you are working

If you are on a low wage you may be able to claim working tax credit. To claim, you must be working 16 or more hours a week and either

- have children, or
- be disabled or have health problems, or
- be over 50.

If none of these apply to you, you might still be able to claim if you are over 25 and are working 30 hours or more per week.

If you are paying rent and council tax

You may be able to claim housing benefit and council tax benefit to help with these. You can claim these whether you are working or not. The amount you get will depend on what other money you have.

When to claim

Normally, you will only be paid from the date you make your claim. So, it is very important to claim as soon as possible after you get the letter telling you that you have been given leave to remain.

When you claim benefits you will have to supply information along with your claim. You will be asked to show the letter granting you leave to remain and a National Insurance Number. If you have been getting help from the Home Office you will be asked for a NASS 35. If you do not have all the information needed, claim straight away anyway and send in the information as soon as you can – otherwise you might lose out.

If there is a delay in getting the information you need make sure you tell the office dealing with your claim about the delay, otherwise your claim could be closed. It is a good idea to make a note of any phone calls you make about this and keep a copy of any letters you write in case there are any problems later.

Where to claim

If you live in Glasgow and have been granted leave to remain

There is a special Jobcentre Plus office which has been set up to help you make claims for jobseeker's allowance, income support, employment and support allowance, child tax credit and child benefit. To arrange an appointment phone 0141 800 3339. If you cannot use the phone you can call in to make an appointment at Jobcentre Plus, 354 Argyle Street, Glasgow.

If you live anywhere else and have been granted leave to remain

To claim jobseeker's allowance, income support or employment and support allowance contact Jobcentre Plus on 0800 055 6688. Usually, they will complete the claim forms over the phone and you will be given an interview at your local Jobcentre Plus office.

You claim working tax credit and child tax credit on the one form. If you are making a claim for benefits at your local Jobcentre Plus office they can help you make a claim for child tax credit at the same time. Otherwise, you can claim by phoning the Tax Credits Helpline on 0845 300 3900.

To claim child benefit phone 0845 302 1444.

To claim housing benefit and council tax benefit you must contact your local Council. You can find their details in the phone book or your local Council website.

What can I do if I am left without any money while my claim is being decided?

If you are left without any money you may be able to get a crisis loan. When your benefit claim is decided you will have to pay this back out of your benefit.

If you live in Glasgow, Forth Valley, Tayside, Fife, Lanarkshire, East Dunbartonshire, Edinburgh, Lothian or the Borders phone 0800 587 6716.

If you live anywhere else in Scotland phone 0800 328 3036.

The phone is very busy and it is difficult to get through so keep trying. If you cannot get through, in an emergency, you should go to your local Jobcentre Plus office and tell them you want to apply for a crisis loan.

You may also be able to get an interim payment while you are waiting. However these are usually only paid if you have already provided all the information needed. To ask for an interim payment phone Jobcentre Plus (see above).

In an emergency, you can also go to your local social work department and ask for help.

If you do not have any money for your children and there is a delay in getting payment of your child tax credit you can go to your local Tax Enquiry Centre and ask them to make an emergency payment while you are waiting. However, if they pay you too much you may have to pay the money back. You can find their address in the phone book.

Is there any other help I can get?

As well as the benefits described above, there are others you might be able to claim. Some of these are described below. To find out more seek further advice (see below).

If you are setting up home you may be able to claim a community care grant to help with this. This is a single payment which you do not have to pay back.

If you live in Glasgow, Forth Valley, Tayside, Fife, Lanarkshire, East Dunbartonshire, Edinburgh, Lothian or the Borders phone: 0845 608 8763.

If you live anywhere else in Scotland phone 0845 608 8629.

If you have been granted Refugee Leave or Humanitarian Protection you may be able to get an integration loan. This is a single payment which will have to be paid back out of your benefits. You should receive an application form along with your letter granting you leave to remain.

If you are ill or disabled you might be able to get disability living allowance. You may be able to get it if you need help from someone else, have difficulty walking, or need someone with you when you are walking.

You can ask for a claim form by phoning 0800 882200. It is a good idea to get help with these forms from an advice agency if you can. You can also get claim forms from your local Jobcentre Plus office.

Can I claim any backdated benefit?

If you have been granted Indefinite Leave to Remain, exceptionally outside of the immigration rules, Discretionary Leave or Humanitarian Protection you cannot get backdated benefits to the start of your asylum claim.

If you have been granted Refugee Leave you may be able to get backdated child benefit and tax credits for the time when you were waiting for a decision on your asylum claim. To get backdated benefits you must claim within three months of the letter informing you that you have leave to remain.

For child benefit there is a question on the claim form asking about when you were given leave to remain which you should complete. You should get the full amount of child benefit for the period while you were waiting.

For backdated child tax credit send a letter in with your claim form asking for backdating to the date when you claimed asylum. Not everyone will get backdated benefit, it will depend on what money you had while you were waiting for your claim for asylum to be decided.

If you had permission to work whilst waiting for your asylum claim to be decided, and you have done some work, you might be able to claim backdated working tax credit. Send in a letter with your claim asking for backdating. It would be good idea to get help from an advice agency with this (see below).

Help with interpreters

When you are claiming benefits over the phone, you can ask for an interpreter, if you need one. You can also bring someone along to interpret at any interviews you have to go to, or ask the Jobcentre Plus office to arrange one for you.

For most benefits you claim over the phone but if you have problems using the phone because, for example, of a disability or ill health you can go to your local Jobcentre Plus office (or Tax Enquiry Centre for Tax Credits), explain why it is difficult for you to use a phone, and ask to make a claim there.

Further help

Benefits advice

You can go to a local Citizens Advice Bureau, the Local Council Welfare Rights Service or other advice agency in your area. You can find these in the phone book or your local Council website.

If you live in Glasgow, contact Glasgow Advice and Information Network on 0808 8011011.

Other advice and support for asylum seekers and refugees

You can get a range of help and advice from the Scottish Refugee Council on 0800 856087.

If you live in Glasgow you can get a range of help and advice from Positive Action in Housing on 0141 3532220

Warning! The information in this leaflet was correct at the date below. However benefit law changes often and so will need updating after some time.