

# Benefits for refugees



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*Child Poverty Action Group works on behalf of the one in four children in Scotland growing up in poverty. It doesn't have to be like this. We use our understanding of what causes poverty and the impact it has on children's lives to campaign for policies that will prevent and solve poverty – for good.*

*We provide training, advice and information to make sure hard-up families get the financial support they need.*

## Introduction

Have you recently received a decision on your asylum claim and have leave to remain in the UK? If so, any money you were getting from the Home Office will stop within 28 days. If you still need financial help, you may be able to claim benefits instead. Benefits are money 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 is for people who applied for asylum and now have *Refugee Status*, *Indefinite Leave to Remain*, *Humanitarian Protection* or *Discretionary Leave* – as long as one of these applies to you, and you are not subject to a public funds restriction, you have the same rights to benefits as UK nationals. Note that if you have recently come from Afghanistan or Ukraine you may have been granted leave in the UK outside the normal asylum process – see CPAG's [Benefits for resettled Afghans](#) or [Benefits for resettled Ukrainians](#) factsheets instead if this applies to you.

## Benefits you can claim if your income is low

If you are between 18 years old and state pension age (currently 66 years old), and on a low income, you may be entitled to *Universal Credit*. You can qualify if *any* of the following apply to you:

- you are looking for work or working on a low wage;
- you are unable to work due to illness, disability, caring responsibilities or pregnancy;
- you are responsible for one or more children; *or*
- you need help to pay your rent.

If you are under 18 or a student you can only qualify for *Universal Credit* in limited circumstances so get advice (see below).

If you are over 'state pension age' and have a low income, you might not qualify for *Universal Credit* but may be able to claim *Pension Credit* and *Housing Benefit* instead. See below for more details.

As well as *Universal Credit*, *Pension Credit* or *Housing Benefit*, you may also be entitled to *Child Benefit* or *Council Tax Reduction*. There are other benefits to help you with the costs of disability, caring and setting up home too. More details of who can get these benefits and how to claim are below.

### ***How to claim Universal Credit***

Normally, you must claim *Universal Credit* online. If you are part of a couple, you both make individual claims and follow the instructions to join them together. If you need help making your *Universal Credit* claim, you can ask your local job centre or Citizens Advice Bureau.

Once you submit your *Universal Credit* claim, you normally need to make and attend an appointment at your local job centre. If you are part of a couple, usually both of you need to make separate appointments. You can be asked to bring evidence to prove your immigration status, your identity, your rent, that your children live with you, that you are unable to work or anything else that is relevant to your circumstances. If you do not have all the evidence asked for, bring what you can including anything else that might help prove your circumstances and explain why you cannot provide what has been asked for. If you do not yet have a *National Insurance Number*, see 'When to claim' below.

When you attend the job centre, you are expected to agree to the conditions in a 'claimant commitment'. These conditions are things like spending time looking for work every week, attending interviews or doing things to help improve your chances of getting a job. Not everyone has to do all or any of these things, so for example, if you are caring for a child under the age of three you are not expected to look for work. If you do not accept the claimant commitment, you are not entitled to *Universal Credit*, so it might be better to agree to a claimant commitment you are not happy with so you are paid *Universal Credit* and try to persuade your job centre adviser ('work coach') to change it. If you are part of a couple claiming *Universal Credit*, each of you has to accept your own individual claimant commitment otherwise *neither* of you are paid any *Universal Credit*.

### ***How much Universal Credit will you get?***

How much *Universal Credit* you get is worked out over a calendar month. The maximum possible amount of *Universal Credit* you can get for a month is worked out by adding together:

- an amount for you as a single person or as a couple;
- amounts for any children who live with you (but sometimes limited to only two children);
- extra amounts if any of the children who live with you get a disability benefit;

- an amount if you are a carer for a severely disabled person (even if you also work) or if you have been assessed as unfit for work and preparing for work;
- an amount if you have to pay for childcare while working;
- an amount if you pay rent (unless you are in temporary housing because you are homeless or live somewhere where you get care or support – see below)

From the maximum possible amount of *Universal Credit* for the month, some unearned income is deducted (for example, benefits such as *Carer's Allowance*, pensions or student funding) and also part of any earnings you receive during that month. If you are working as an employee, your employer should report your earnings to *Universal Credit* automatically. If you are self-employed, you must report your earned income and outgoings using your online *Universal Credit* account every month. Any *Universal Credit* that is left after deductions is then paid to you after the end of the month.

### ***How Universal Credit is paid***

*Universal Credit* is normally paid once a month directly into a bank account in either your name, your partner's name or a joint account. If you do not yet have a bank account, your *Universal Credit* can be paid by other means for the first month or sometimes longer. If you are having problems making a claim because you do not have a bank account, or need help with setting up a bank account, ask for help from a Citizens Advice Bureau, your housing provider or another support organisation like the Scottish Refugee Council.

Your monthly *Universal Credit* payment is normally made on the same day every month. That day is usually 7 days after the end of month it is paid for. So, for example, if you make your claim for *Universal Credit* on 5 May, your first payment will cover the month up to and including 4 June and you will get your first payment of *Universal Credit* on 11 June, and then on the 11th of each month. This means you might have to wait for up to 38 days before you get your first payment of *Universal Credit*. If you need money to live on while waiting for your first *Universal Credit* payment you can ask for an 'advance' of *Universal Credit* but you will have to pay the advance back, normally within the next 24 months. See below for more advice about help while waiting for your *Universal Credit* to be paid.

In Scotland, you have the right to have the amount for rent included in your *Universal Credit* paid directly to your landlord. You also have the right to have half of your monthly *Universal Credit* paid to you twice a month instead of one monthly payment. Normally, you are only allowed to ask for these after you have had your first payment of *Universal Credit*.

### ***If you live in temporary housing because you are homeless, or somewhere you get care or support***

*Universal Credit* can help with your *living costs* if you live in temporary housing because you are homeless but not your *rent*. Instead, you need to claim *Housing Benefit* to get help with your *rent*. This may also be the case if you live somewhere you get care and support, for example because you are a young person or you have an illness or disability.

### ***If you are state pension age or over***

State pension age is currently 66 years old. If you are state pension age, or if you are a couple and both of you are state pension age, you may be able to claim *Pension Credit* to help with you and your family's living costs and *Housing Benefit* to help with your rent. You are not required to look for work. If you are part of a couple and only one of you is over state pension age, you have to claim *Universal Credit* instead.

### ***If you are paying council tax***

You may be able to claim a *Council Tax Reduction* if you have to pay Council Tax and are on a low income. You can claim *Council Tax Reduction* whether you are working or not, and whether you get any other benefits or not. The amount you get will depend on what other money you have and who else lives with you.

### ***If you have children***

You can usually claim *Child Benefit* for any children you look after, or young people under 20 years old who are still in school or other full-time further education. You do not have to be the child's parent. You cannot get *Child Benefit* for a child in 'higher education', which usually means a university level course. You can claim *Child Benefit* whether you are working or not. You may also get amounts of *Universal Credit* or *Pension Credit* for the same children or young person but *Child Benefit* does not affect this. Both can be paid at the same time. You should not have to wait for a decision about *Child Benefit* before *Universal Credit* or *Pension Credit* amounts are paid for any child or young person who lives with you.

In Scotland, if you are on a low income you may be entitled to the *Scottish Child Payment* for any child under 16 years old. To qualify you need to be getting certain other benefits, which include *Universal Credit* or *Pension Credit*.

### ***When to claim***

Normally, you will only be paid any benefit from the date you make your claim. So it is very important to claim as soon as possible after you get the Home Office letter telling you that you have leave to remain. You do not need to wait for your Home Office support to stop or until you get your *Biometric Residence Card*.

When you claim benefits you may be asked to provide information and evidence along with your claim. This will include your *National Insurance Number*. Your *National Insurance Number* may be on your *Biometric Residence Card*. If you do not have a *National Insurance Number* yet, you should apply for one as part of making your claim for benefit. You should not be stopped from making a claim just because you do not yet have a *National Insurance Number* and may be entitled to an advance of benefit (see below) if there are delays while one is allocated to you. If you do not have all the other information and evidence requested, claim straight away anyway and send in the information and evidence as soon as you can – otherwise you might lose out.

If there is a delay in getting the information or evidence you need, make sure you tell the office dealing with your claim straight away, otherwise your claim could be closed down and

you will have to start again. It is a good idea to make a note of any phone calls you make about this, keep a copy of any letters you write and take screenshots of any online messages you send in case there are problems later.

## **Where to claim**

To claim *Universal Credit* you usually complete an online form at [www.gov.uk/apply-universal-credit](http://www.gov.uk/apply-universal-credit) but can call 0800 328 5644 if you need help. In some very limited circumstances, including where someone has no or very little English, a *Universal Credit* claim can be made over the telephone.

To claim *Pension Credit*, call the Pensions Service on 0800 99 1234.

To claim *Child Benefit* you should usually complete the form available at [www.gov.uk/child-benefit/how-to-claim](http://www.gov.uk/child-benefit/how-to-claim) but can telephone 0300 200 3100 if you need help.

To claim *Housing Benefit* and a *Council Tax Reduction* you must contact your local council. You can find their details in the phone book or on your local council website.

To claim *Scottish Child Payment* you can apply online at [www.mygov.scot/scottish-child-payment/how-to-apply/](http://www.mygov.scot/scottish-child-payment/how-to-apply/) or call Scottish Social Security on 0800 182 2222 which offers help in over 100 languages.

## **What if I am left without any money while my claim is being decided?**

If you are left without any money while waiting for your first payment of benefit, you may be able to get an *Advance*. Once your benefit is paid regularly you will have to pay this back. You should ask the office dealing with your claim about getting an *Advance* if you need money to live on. You may also be entitled to an *Advance of Universal Credit* if you are waiting for the first payment of extra amounts, for example when a child has just started living with you.

If you are claiming *Housing Benefit* you should get an *Interim Payment* of benefit if it takes more than 14 days to process your claim. However, you are only paid this if you have provided all the information needed. If it has been more than 14 days since you claimed and you have not had a decision, ask the office you claimed at for an *Interim Payment*.

In an emergency you may be able to get a *Crisis Grant* from your local council or go to your local social work department and ask for help.

## **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).

### ***Help with setting up home in Scotland***

If you are setting up home and need things like furniture, a cooker or a fridge, you may be able to get a *Community Care Grant*. This can be money that you do not have to pay back or you might be given the items that you need. You must apply to your local council for a *Community Care Grant*.

If you have *Refugee Leave* or *Humanitarian Protection*, you can get an *Integration Loan*. This is a single payment that you have to pay back by deductions from your benefits. You should receive an application form along with your Home Office letter granting you leave to remain. However, it might be better to apply for a *Community Care Grant* first as you do not need to pay it back.

***Help if you have a disability or long-term illness, or care for someone who does***

If you are under pension age, have a long-term illness or disability and live in Scotland, you might be able to get *Adult Disability Payment*. You may get this if you need help with looking after yourself from someone else, have difficulty walking or problems getting around outdoors. Note that *Adult Disability Payment* has replaced *Personal Independence Payment* in Scotland.

If you are responsible for a child who has a long-term illness or disability and needs extra help looking after themselves, has difficulty walking or problems getting around outdoors, you may be able to claim *Child Disability Payment*. Note that *Child Disability Payment* has replaced *Disability Living Allowance* in Scotland.

People over pension age who need help to look after themselves may be able to claim *Attendance Allowance*.

If you get any of these disability benefits, they do not reduce the amount of *Universal Credit*, *Pension Credit*, *Housing Benefit* or *Council Tax Reduction* you get and may, in fact, mean you are entitled to more of them.

You can start a claim for *Adult Disability Payment* or *Child Disability Payment* online or by calling 0800 182 2222. To claim *Attendance Allowance* call 0800 731 0122. It is a good idea to get help with filling in these forms from an advice agency if you can. Note that for all these benefits, and *Carer's Allowance* (see below), you usually need to meet a 'past presence test' which can stop you getting them until you have been in UK, Ireland, Channel Isles or Isle of Man (or Great Britain for *Attendance Allowance* and *Carer's Allowance*) for a certain amount of time, but special rules mean that this should not apply if you or a close family member have *Refugee Status* or *Humanitarian Protection*.

If you look after someone who is getting *Disability Living Allowance*, *Child Disability Payment*, *Personal Independence Payment*, *Adult Disability Payment* or *Attendance Allowance* you may be able to claim *Carer's Allowance*. If you want to claim *Carer's Allowance* it is a good idea to get advice first as it can affect both your benefits and the benefits of the person you care for. To claim, you should usually complete the online form at [www.gov.uk/carers-allowance/how-to-claim](http://www.gov.uk/carers-allowance/how-to-claim) but can call 0800 731 0297 for help. If you live in Scotland and get *Carer's allowance*, you may also get the *Carer's Allowance Supplement*.

***If you are pregnant or have children***

If you are pregnant or have children, you may be able to get:

- *Best Start grants*;

- *Best Start foods* credits;
- free nursery places for 3 to 4 year olds (or younger in some circumstances);
- local council leisure pass (*Kidz Card* in Glasgow);
- a *Young Scot* card for a child or young person in education between 11 and 25 years old;
- free school meals and school clothing grants;
- a free bus pass for children between 5 and 21 years old

Speak to an advice agency to check if you may be entitled to any of these. You can also download CPAG in Scotland's factsheet about what you may be entitled to for young children here: [cpag.org.uk/scotland/welfare-rights/earlyyears](http://cpag.org.uk/scotland/welfare-rights/earlyyears).

### ***If your family are joining you***

In Scotland, if you have *Refugee Status* or *Humanitarian Protection* and your family is granted permission to join you under 'family reunion' rules, you can apply for a special grant from the *Scottish Welfare Fund*. These grants are made through the British Red Cross and you should contact them on 0141 331 4170 once you know your family will be joining you.

### **Can I claim any benefit for the time I was waiting for my asylum decision?**

If you have *Indefinite Leave to Remain*, *Discretionary Leave* or *Humanitarian Protection* you can only get benefits from the date you were granted leave.

If you have *Refugee Status* you can sometimes get *Child Benefit* and *Tax Credits* for the time when you were waiting for a decision on your asylum claim. To get payment for this period, (known as backdating) you must claim within one month for *Tax Credits* and three months for *Child Benefit* of the Home Office letter informing you that you have *Refugee Status*.

There is a question on the *Child Benefit* 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 a decision on your asylum application.

You cannot usually make a new claim for *Tax Credits* now but have to claim *Universal Credit* or *Pension Credit* instead. But there are special rules which may mean you can still make a backdated *Tax Credits* claim if you claimed asylum before 31 January 2019. Not everyone will get backdated *Tax Credits*; it will depend on what money you had while you were waiting for your application to be decided. Call 0345 300 3900 and say that you want to make a backdated claim to the date when you claimed asylum. If they will not allow you to make a claim, get advice immediately (see below).

There is no rule that allows backdating of *Universal Credit* or *Pension Credit* for the time you were waiting for a decision on your asylum application. However, this does not affect *Child Benefit* and you may be able to claim *Tax Credits* under the rules above for a period before you claim *Universal Credit* or *Pension Credit*.

## 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 job centre to arrange one for you.

You claim most benefits over the phone or online. If you have problems making a claim this way, for example, because of a disability or ill health, you may be able to arrange an appointment at a job centre or arrange that someone visit you at home. You could also appoint someone else to make the claim on your behalf.

## Further help

### *Benefits advice*

You can go to a local Citizens Advice Bureau, the local council Welfare Rights Service or other advice agencies in your area for help with claiming benefits. You can find these in the phone book or your local council website or online at [advicelocal.uk](http://advicelocal.uk). Also, see the leaflets from the Independent Food Aid Network that provides information about where to get advice in some local authority areas, and in some cases in a number of different languages: [www.foodaidnetwork.org.uk/cash-first-leaflets](http://www.foodaidnetwork.org.uk/cash-first-leaflets). If you are a housing association tenant, your housing association may have its own welfare rights officers who can help you.

If you live in Glasgow, you can search the Glasgow Advice and Information Network website at [www.gain4u.org.uk](http://www.gain4u.org.uk) or call on 0808 801 1011.

### *Other advice and support for asylum seekers and refugees*

You can get help and advice from the Scottish Refugee Council on 0141 248 9799 or the British Red Cross on 0141 331 4170.

If you live in Glasgow you can get help and advice from Positive Action in Housing on 0141 353 2220.

Warning! The information in this leaflet is correct at the date produced and is intended for those living in Scotland. However, benefit law changes often and so will need updating after some time.

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