

# HOME OFFICE REVIEW OF ASYLUM SUPPORT RATES

## **Helen Bamber Foundation submission**

August 2022

The Helen Bamber Foundation (HBF) is a specialist clinical and human rights charity that works with survivors of trafficking, torture and other forms of extreme human cruelty and believes that all survivors should have safety, freedom and power. Our work alongside survivors shows us that, with early and appropriate care and support, they build the strength to move on with their lives (or strength to fly). Our multidisciplinary and clinical team provides a bespoke Model of Integrated Care for survivors which includes medico-legal documentation of physical and psychological injuries; specialist programmes of therapeutic care; a medical advisory service; a counter-trafficking programme; housing and welfare advice; legal protection advice; and community integration activities and services.

This submission looks at the basic needs provided for by asylum support payments, with reference to the Home Office's reports on the allowances paid to asylum seekers and failed asylum seekers from 2020 and 2021<sup>1</sup> and the most pressing issues that have been identified by HBF in relation to our clients. Many of our clients receive asylum support, including under section 95, section 98 and section 4(2) of the Immigration and Asylum Act 1999. The low asylum support rates affect them in myriad ways, permeating much of their life in the UK and acting to the detriment of their emotional, material and physical wellbeing. In our collective clinical experience at HBF, the low rates of financial support provided to our clients can cause them considerable distress and add to their low self-esteem and mental health problems. This can significantly impede their engagement with and progress in therapy. Asylum support rates must be raised to more realistically reflect the needs of asylum seekers - we set out our recommendations below.

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<sup>1</sup> [Report on review of cash allowance paid to asylum seekers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101444/2020-2021-review-of-cash-allowance-paid-to-asylum-seekers.pdf)

## Q1. What is your overall view of the review conducted last year?

The review conducted last year acknowledged that the NGOs who submitted evidence to it, including HBF, had called for the rates of asylum support to be at least 70% of mainstream benefits; for the Home Office to consider using the Joseph Rowntree Foundation's work on the Minimum Income Standard as an alternative approach; and for the Home Office to treat travel and communications as essential living needs. The Home Office's response was to dismiss these recommendations with little or no engagement with the wider arguments behind them. It is not clear why people seeking asylum should be denied support that would afford them a 'socially acceptable minimum standard of living' nor why travel and communication are not considered essential needs when there is a wealth of evidence to demonstrate that they are essential.

Furthermore, while the report on the review acknowledged that "some responses also highlighted that that assessment of the level of the weekly allowance is based on the needs of able-bodied individuals, making no allowances for those with additional mental or physical health needs" the Home Office simply stated that anyone with exceptional needs "is able to apply for additional funds", disregarding our detailed submission outlining the difficulty or impossibility of accessing those funds.

We hope that this review more closely considers the submissions made by NGOs, including HBF, and if the Home Office declines to take on board our evidence and recommendations then it will at least provide clear reasoning for doing so.

## Q2. Do you consider the methodology used last year should be retained, adjusted or replaced with some alternative?

To be clear – the question refers to the methodology "used last year", but our understanding is that this is the methodology referred to in the report of the 2020 review. Our answer is made in reference to that report.

HBF believes that the Home Office's methodology for assessing the levels at which to set section 95 and section 4 support needs changing for a number of reasons:

- 1) The assessment is based on the needs of able-bodied individuals and appears to make no allowances for those in the asylum system with additional mental or physical health needs. The lack of consideration for those who have additional vulnerabilities (but do not reach the threshold required to make them eligible for additional support such as that from a local authority support - under the Care Act 2014) is causing considerable difficulties for many of our clients.
- 2) The assessment methodology includes assumptions about the availability of additional funding and support that is simply not available in practice. While this additional support may not always be the responsibility of the Home Office, if it is

not sure that additional funding is available *in practice* (and/or not taking steps to check that it is), then it should not be included in this assessment. We believe further steps should be taken to ensure that funding is practically available before it is relied on as part of this assessment.

- 3) The assessment methodology includes assumptions that asylum seekers are housed 'in urban areas' and proximate to essential services – this is not always the case.
- 4) The amount of financial support deemed necessary to cover the costs of meeting food needs is taken from Office of National Statistics (ONS) information about the amount of money spent on the items by individuals in the lowest 10% of income group in the UK. However, ONS data does not take account of the additional needs of asylum seekers, such as the fact that they often arrive with no possessions and do not have a support network on which they can rely. There is a significant backlog of asylum cases (at the end of March 2022, there was a backlog of 89,344 cases awaiting an initial decision for asylum claims made since 2006)<sup>2</sup> and many individuals will be forced to live on crippling low levels of support for years, with an inevitable negative impact on their mental and physical health. At the end of 2020, 83% of families with children under 18 had been on section 95 support for over a year while 19% of families had been on support for over five years. 67% of single adults had been on section 95 support for more than one year with 1% of single adults on this support for over five years.<sup>3</sup> We do not believe the lowest 10% in the ONS data is an adequate benchmark for the essential living needs of those in the asylum system.
- 5) There is no meaningful consideration of what people who actually live on asylum support experience. A small number of charities, including HBF, can provide very good information about their clients but the actual experiences of men, women and children with direct experience of asylum support, including those who have no access to charity support, is absent from the Home Office's consideration. By comparison, the Department of Work and Pensions relies on data from the Family Resources Survey which is a survey with people living on low income. They also commission research to consider things like material deprivation among households on low income.

In the questions below we will look at different living needs in turn but our key recommendations would be that:

- An alternative approach to assessing appropriate levels of support should be taken, with the starting point that it is essential to assess what rate would be necessary for

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<sup>2</sup> [Briefing: the real state of the UK asylum system - Free Movement](#)

<sup>3</sup> Ilona Pinter, [Children and Families Seeking Asylum in the UK](#), London School for Economics, October 2021

an *acceptable standard of living*, not just what must be covered as a bare minimum. We recommend the Home Office considers the Joseph Rowntree Foundation's work on the Minimum Income Standard (MIS).<sup>4</sup> This presents a vision of the living standards that we as a society consider everyone in the UK should be able to achieve, whether they are in work or reliant on state support.

- In the interim, the rate of asylum support should be the equivalent of mainstream benefits *minus* a proportion of that figure (up to 30%) to allow for utilities, rent and other costs covered separately by the Home Office. The Home Office has previously rejected aligning asylum support allowances with mainstream social security benefits because the latter "are not set according to the 'essential living needs' test and are generally required to cover a broader range of costs, including paying for utilities".<sup>5</sup> No clear explanation is given as to why those on asylum support have different "living needs" to those on mainstream benefits (indeed, as outlined below arguably they have greater needs because of arriving with nothing, extremely long delays in asylum decision making and their additional vulnerabilities). If asylum support was set at 70% of Universal Credit levels this would recognise **that asylum support covers a reduced range of costs - the 30% difference would account for utilities, council tax, rent etc** and would align with current practice where the Department of Work and Pension can deduct up to 25% from Universal Credit payments if certain costs (including utilities, Council Tax, rent and service charges) are covered elsewhere.<sup>6</sup>

The table below shows the current Universal Credit rate for single adults over 25, and what that rate would be if the DWP deducted the maximum amount possible (25%) for 'third party deductions' (covering Council Tax,<sup>7</sup> utilities and rent) under its current policy. It also shows what a person seeking asylum would receive if paid 70% of current Universal Credit rates or if the Home Office simply increased the support rate by Consumer Price Index (CPI) rate. It is clear that simply increasing by the CPI rate leaves those seeking asylum worse off than everyone else in the country reliant on state support:

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<sup>4</sup> <https://www.jrf.org.uk/report/minimum-income-standard-uk-2021>

<sup>5</sup> [Report on review of weekly allowances paid to asylum seekers and failed asylum seekers: 2021](#), April 2022

<sup>6</sup> [Universal Credit: What you'll get - GOV.UK \(www.gov.uk\)](#) and [Find out about money taken off your Universal Credit payment - GOV.UK \(www.gov.uk\)](#)

<sup>7</sup> Those on low income also get council tax reductions which those with No Recourse to Public Funds - including those on asylum support are ineligible for.

Circumstances of individual	Universal Credit payment per month	Universal Credit payment per week <sup>8</sup>	Universal Credit payment per week if max amount deducted for rent, utilities & Council Tax <sup>9</sup>	Asylum support rate if based on 70% of Universal Credit	Asylum support rate if just increased by CPI (9.4%) <sup>10</sup>
Single and 25 or over	£334.91	£77.29	£57.97	£54.10	£44.69

It is of course important to still note that studies have shown that mainstream benefits rates have severely deteriorated over recent years meaning that even those receiving UC are struggling.<sup>11</sup>

- Travel and communication should be classified as essential needs – having access to these services is crucial to people’s well-being, to their ability to stay in contact with their support networks, doctors and legal representatives, to progressing their asylum claims, and to them and/or their children continuing their education. Due to the high costs of renting in some areas, dispersal accommodation is often situated in places which are far away from main hubs and city centres. People often do not have enough money or cannot access it (those on section 4 support) to pay for travel by public transport to attend appointments, do their essential shopping or see a doctor. Inability to travel due to insufficient funds coupled with lack of money to pay for telephone calls hinders their ability to access crucial services and worsens social isolation and mental health problems.
- The assessment used for the rates review should look at what support is required to enable people to maintain interpersonal relationships and a minimum level of participation in social, cultural and religious life – for example, ensuring they are able to attend religious services more than once a week, are able to see friends on a monthly basis etc.<sup>12</sup>

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<sup>8</sup> Calculated by taking monthly payment and multiplying by 12 to get annual payment then dividing by 52 to get weekly payment

<sup>9</sup> 25% deduction based on existing policy [Find out about money taken off your Universal Credit payment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/find-out-about-money-taken-off-your-universal-credit-payment)

<sup>10</sup> <https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/consumerpriceinflation/june2022>

<sup>11</sup> <https://covidrealities.org/learnings/write-ups/covid-realities>

<sup>12</sup> See *Refugee Action v Secretary of State for the Home Department* [2014] EWHC 1033 (Admin), para 116: “However what is involved in practice in affording asylum seekers an opportunity for a minimum level of participation in social, cultural, and religious life, is a different question. So too is the question what, if any, financial support it requires. What is meant by “minimum”? What activities are covered by “participation”? What costs, if any, are necessary to enable such minimum participation? (...) They are judgments for the Secretary of State. They are ones which she has not yet made, because on her behalf it is contended, in my view

### Q3. Do you consider the methodology used last year captures all “essential living needs” of individuals in the support system? If not, in your opinion what needs were not captured adequately?

No, we do not think that the methodology used last year captures all “essential living needs” of individuals in the support system, for the following reasons:

#### ***Travel as an essential need***

In the 2022 Home Office report, it repeats the 2020 report in stating that “we continue to consider that [travel and communication] are not essential needs in themselves, but accept that they may be necessary in limited circumstances to enable other needs to be met, including those related to maintaining interpersonal relationships and a minimum level of participation in social, cultural and religious life.”

For most HBF clients, travel is essential to ensuring they can fulfil their other essential needs, including access to adequate food and healthcare (see below). Furthermore, the limited rate of asylum support makes it extremely difficult for asylum seekers to engage in any other activities, due to prohibitive travel costs. These include accessing college and other educational bodies (our clients are very rarely considered eligible for Discretionary Learner Support Funds), social support networks, and religious and/or cultural establishments.

The inability to travel for such purposes increases social isolation, prevents people from learning English and integrating within their communities more generally and causes a deterioration in mental health. The inability to travel elsewhere other than the immediate vicinity of their accommodation, combined with the often-poor quality of asylum support accommodation, increases feelings of hopelessness and negatively impacts mental health.

As mentioned above, the notion that travel costs are not essential in part relies on the assumption that, as stated in the 2020 report, ‘asylum seekers are invariably accommodated in urban areas’ which infers they will be close to all the services they need. In line with the Allocation of Accommodation Policy,<sup>13</sup> clients of HBF are required to be housed within zones 1-6 of London, and therefore are ostensibly accommodated in urban areas. However:

- We are aware of the more acute difficulties facing asylum seekers accommodated in less urban areas in other parts of the UK.
- Even within zones 1-6 of London, several of our clients have been placed in areas which are not in the near vicinity of affordable shops. Many of our clients have

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erroneously, that this is a category of need which does not require consideration. In this respect the decision making process was flawed”

<sup>13</sup> Home Office, Allocation of accommodation policy, Version 6.0, 2021

complex mental and often physical health conditions, impacting their ability to travel.

One example of this is a client accommodated in a less urban part of South East London, who struggled to carry her weekly shopping due to her heart condition. She cannot walk for longer than 15 minutes without resting. She was unable to buy her weekly food shopping in one trip as she was not able to carry her shopping and does not have anyone to help her with this task, however she was unable to afford to travel for multiple journeys in one week. This left her without a sufficient amount to eat during the week.

In Greater London, the region in which our clients reside, the cost of a single bus journey is £1.65 (increased from £1.55 this time last year). Those with a mental or physical disability are likely to need to take a bus even to travel just a short distance (e.g., to their GP surgery or to a larger shop to buy food) – to do this just once a week costs £3.30 in total, leaving £1.40 for the rest of the week's travel allowance according to the Home Office; this amount is not even enough for a single additional bus journey.

Many of our clients suffer from symptoms of post-traumatic stress disorder, as well as other severe mental health conditions including major depressive disorder, anxiety, and psychosis. Many have 'dissociative' symptoms – i.e. have episodes in which they go 'blank' and are transiently aware of their actions and/or their surroundings. They can become lost while travelling, catching the wrong bus or train and then not know where they are. With such a limited amount of financial support, there is little room for these types of errors, which are common for people with severe mental health conditions and a history of traumatic experiences. Many people end up walking to their destination, a journey which can take several hours and cause both mental and physical exhaustion. Many also do not have friends or family who can support them in making these journeys.

The NHS Healthcare Travel Costs Scheme (HTCS) can refund reasonable travel costs if a person has been referred to hospital or other NHS premises for specialist NHS treatment or diagnostic tests. However, this excludes visits to a GP, dentist or other primary care service provider, including antenatal care.

One HBF client was referred to free physiotherapy by her GP but it was a floating service based in the building of a private clinic, so she was unable to ask for reimbursement via the HTCS as it wasn't in a hospital or NHS building. She struggled to afford the travel to the appointments, which were weekly for six weeks.

Furthermore, in our experience the HTCS is not well known among asylum seekers who require specialist NHS treatment, and fall within the eligibility of the HTCS, nor is it actually accessible. Many hospitals have no or only a partially staffed cashier's desk, and so asylum

seekers who do know about the HTCS are unlikely to have their travel money reimbursed on the same day. Prompt reimbursement is essential when the weekly rate of support is so low. If the travel costs are claimed retrospectively, the NHS usually does this in the form of a cheque. Given that asylum seekers are largely prohibited from opening a bank account, this makes it difficult / impossible to cash and receive retrospectively reimbursed travel money.

**Recommendation: Travel should be recognised as an essential need for the purposes of assessing levels of asylum support**

**Recommendation: The allocation of money for travel should be increased to a level that would cover at least three return bus journeys a week, wherever the recipient is accommodated.**

The 2020 Home Office report states that “the costs of travel for purposes unique to asylum seekers are covered through separate arrangements. Travel to legal appointments is met through legal aid and travel costs to reporting events, asylum interviews and appeal hearings are paid separately”.

Many asylum seekers in receipt of asylum support do not automatically receive travel tickets from the Home Office when they are required to attend reporting centres on a regular basis. Their reporting frequency could be anything from weekly to annually, and, depending on their reporting time, may require travelling at peak time, which is more expensive. For example, we have a client who has to report every week as a Foreign National Offender who has to spend about a third of his section 4 money every week just on travelling to Eaton House. Ensuring that a person receives a travel ticket or the balance uploaded to their ASPEN card in event of the reporting date often requires third-party advocacy.

**Recommendation: The Home Office should make telephone reporting more widespread. When a person is provided with asylum support of any kind and made to report in person, they should automatically be sent travel tickets ahead of a reporting event.**

We are aware that travel to appointments with a person’s solicitor can be reimbursed via the Legal Aid Agency, according to the Legal Aid Agency’s 2013 Standard Civil Contract Specification. In HBF’s experience, though, many solicitors are unaware of this provision, and therefore do not inform clients of this nor apply for this disbursement.

In addition, many of our clients lack knowledge of this disbursement, as well as often the literacy and confidence (as well as other skills affected by their severe mental health conditions, for example adequate concentration amidst dissociative episodes) required to request their solicitor to reimburse their travel expenses, and to continue to request this on a regular basis.



Recommendation: We recommend that the Home Office works with the Legal Aid Agency to simplify the process by which recipients of asylum support can have their travel expenses to attend legal appointments reimbursed and ensure that all firms with an immigration Legal Aid contract be informed of this.

### **Food**

We believe that the assessed amount to cover food of £26.89 per person (or £29.11 allowing for an increase of 3.1% – the 2022 report does not provide revised rates) is insufficient to cover the weekly diet needs of adult asylum seekers and any dependent children.

Many of our clients are likely to have been deprived of adequate nutrition in previous, often precarious living situations (e.g. detention, situations of trafficking, other exploitation and torture) and it is therefore particularly important that they be able to obtain adequate nutrition. However, fresh fruit and vegetables – essential to meet a person’s dietary needs (as supported by the government’s Change4Life campaign) – are unaffordable within this amount while also buying a sufficient number of staple foods.

Furthermore, the Home Office market research used to calculate the costs of meeting certain essential needs assumes that it will be straightforward for those seeking asylum to ‘shop around’ to identify the cheaper outlets and take advantage of cost savings. As outlined above, while living in asylum accommodation, access to shops in which one can bulk buy cost-effectively is not guaranteed. For example, if you live within walking distance of only a small supermarket or off-licence shop, you would need to travel (and therefore spend money on further transport) to bulk-buy, and also be physically and mentally fit enough to carry these purchases home. This is not always possible. The asylum support rates review assumes able-bodiedness and does not adequately consider those who have physical or mental health difficulties. Additionally, potentially cheaper outlets such as markets often require people to pay in cash meaning that those receiving support under section 4 cannot shop at these outlets as they are unable to withdraw cash.

Clients will also face challenges with storing items such as not having a freezer or having limited space given that they live in shared facilities. We also find that often in asylum support accommodation the cooking facilities are inadequate and there is a lack of pots and pans further limiting the effectiveness of bulk-buying and requiring the purchase of further essential items. One of our clients recently dispersed was moved to a flat which has no cooker (which is contrary to the Statement of Requirements for Asylum and Accommodation Support Contract providers), meaning that he and the other residents are not able to cook their own food, making it even more expensive for them.

The amount allocated for food is particularly insufficient for people who are required to maintain a diet of specific foods for a health condition. Several of our clients are currently

required to maintain a specific diet yet are unable to do this within the limitations of asylum support.

If asylum support payments were adequate for covering all 'essential' living needs then people within the asylum system would not report that they were going hungry and would not need to rely on charities to help them meet their basic needs in relation to food or other expenses. Such a reliance would, as defined by research from the Joseph Rowntree Foundation, constitute living in destitution.<sup>14</sup> Yet, HBF has to provide foodbank vouchers to clients in receipt of asylum support on a near weekly basis, as our clients struggle to feed, clothe and generally provide for themselves within this amount. This includes a mother and her 9 year old son who were recently dispersed far away from her child's school; much of her weekly allowance was then spent on taking him to school (it cannot be expected that she change his school at the very end of the academic year) and so she had almost no money left to spend on food. At a counter-trafficking assessment at HBF, we issued a foodbank voucher to her, and as she has been able to buy a limited amount of food over the last few weeks, she has fewer 'reserves' to rely on in terms of food available to her.

Even if this reliance on foodbanks was deemed in any way acceptable, it is not an adequate solution to inadequate asylum support provision. The provision of foodbank vouchers relies on asylum seekers' engagement with, and knowledge of, organisations which understand their material circumstances and these organisations' ability to issue foodbank vouchers and food directly. Once a person is referred to a foodbank, they will then need to travel to the location (see above for why this is problematic) and foodbanks try to give out as much non-perishable food as possible, meaning that food provision again excludes vulnerable asylum seekers from maintaining a nutritious diet. Furthermore, many foodbanks operate their own policies regarding how many times an individual/family can access their services. It may be that a person can only visit the foodbank three times in total, or that there is a limit on how many times a person can visit within a particular timeframe. This means that foodbank provision is a short-term fix for a long term problem, and many of our clients find themselves back at square one but with fewer options available.

### ***Household cleaning items and toiletries***

The 2020 Home Office report outlined that "household cleaning items are now provided by the accommodation providers in Houses of Multiple Occupancy (HMOs)" and so the support rates only cover toiletries (£0.69), non-prescription medications (£0.35) and laundry/toilet paper (£0.43), amounting to £1.47 per week (presumably this is now £1.52 allowing for the 3.1% increase).

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<sup>14</sup> Fitzpatrick, S., Bramley, G., Sosenko, F., Blenkinsopp, J., Johnsen, S., Littlewood, M., Netto, G. and Watts, B. (2016) Destitution in the UK. Joseph Rowntree Foundation.

In our experience, residents of asylum support accommodation are often not provided with household cleaning tools required to clean their accommodation. Many people therefore are required to purchase items such as brooms and mops, all of which are too expensive to be covered by £1.52 per week.

In several cases, our clients have entered asylum support accommodation for the first time, after a period of prolonged homelessness and destitution, and needed to spend much of the full first week's payment on household cleaning items, due to the lack of cleanliness in the accommodation when they moved in, leaving no money for other needs that week.

Many of our clients are likely to have lived in unclean conditions in previous situations (including situations of trafficking and other exploitation, torture, homelessness). Due to the symptoms of post-traumatic stress disorder and the impact of traumatic events, they can be particularly susceptible to feelings of shame and inferiority and lack of hygiene can be particularly triggering for them, leading to a deterioration in mental health. It is therefore particularly important, both for their physical and mental health, that they be able to maintain their living space and personal hygiene adequately, requiring sufficient amounts of toiletries and household cleaning items.

Furthermore, due to these symptoms and the impact of traumatic events, our clients are less likely to find and approach organisations which may be able to provide items for free, including toiletries, clothing and footwear.

In particular, menstrual products are often expensive. We do not consider that the number of menstrual products stated by the Home Office within the most recent in-store market research reflects the actual number of the specific product needed within the average period, particularly given that the lowest cost items are those most likely to need to be replaced more frequently and a significant minority of people experience heavy menstrual bleeding, requiring much more frequent changing.<sup>15</sup>

Many of our clients use sanitary towels instead of tampons. In our experience this is due to various factors including the psychological and physical effects of sexual violence and a lack of familiarity with tampons, as well as the relative costs of both types of product.<sup>16</sup> Many of our clients also report gynaecological conditions causing heavy periods (including fibroids, endometriosis and polycystic ovary syndrome). This also requires more regular changing of menstrual products, therefore incurring a higher cost not reflected in the in-store market research undertaken by the Home Office for the last review of section 95 support rates.

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<sup>15</sup> See Royal College of Obstetricians and Gynaecologists, National Heavy Menstrual Bleeding Audit at <https://www.rcog.org.uk/en/guidelines-research-services/audit-quality-improvement/completed-projects/national-hmb-audit/>

<sup>16</sup> <https://www.bloodygoodperiod.com/period-poverty>

Recommendation: Given the reported failure of asylum accommodation providers to ensure that adequate household cleaning products are available, the Home Office should include the cost of essential cleaning products in its assessment of asylum support rates. It should also increase the toiletries allowance to better cover the essential needs of people who menstruate.

### **Communication**

As with travel, the Home Office does not consider communication to be an essential need. Yet the pandemic has demonstrated just how essential access to data and online forms of communication are. In light of the many changes to working introduced in response to Covid-19, many essential services such as GPs are now operating online, to book appointments and carry out consultations. However, the move to and reliance on services being mainly accessible online had begun pre-pandemic and continues to date. Many services are still frequently provided online (e.g. access to GPs; Migrant Help webchat – which many people may feel more comfortable using than the long wait on the free helpline; applying for children’s enrolment in school; Free School Meals applications etc.; and many educational courses; as well as the need to be able to access one’s email account and the internet in order to maintain contact with all of these services, including legal representatives). Furthermore, communicating with family members from whom they may have been separated is an ongoing fundamental need and right for those seeking asylum.

Asylum seekers cannot usually access a phone contract without a bank account or credit history, following legislation disallowing asylum seekers from opening bank accounts, therefore pay-as-you go is often the only option. Access to the internet is invariably not provided in asylum support accommodation – the review still states that people should be relying on libraries for internet use but these are not always available and involve the same issues with travel as raised above. This means that even clients who are able to use internet and email facilities must rely on either calling their legal representative and GP surgery (costing money via pay as you go) or travelling to their offices directly (almost always costing money for travel). This also particularly impacts households with school-age children, who often require access to the internet in order to do their homework.

Recommendation: Communication should be recognised as an essential need for the purposes of assessing levels of asylum support, and digital inclusion should also be considered as part of that assessment.

### **Clothing**

The 2020 Home Office report states that “£3.01 per week is sufficient to purchase and/or maintain a reasonable wardrobe of essential clothes”. The clothing and footwear needs of an asylum seeker are considered by the Home Office to be three pairs of underpants, three

pairs of socks/tights, two vests/bras, two tops or shirts, two pairs of trousers or skirts, two cardigans/jumpers, one coat, and two pairs of shoes, nightwear, and a hat, gloves and scarf. We do not believe that the current allowance is sufficient. People often arrive in the UK with very little clothing and lack the resources to locate services, if even available in their local area, which may be able to provide clothing and footwear for free.

Wearing the same set of clothes for prolonged periods, a situation in which many of our clients find themselves, exacerbates clients' feelings of humiliation, shame and indignity, in addition to the symptoms of post-traumatic stress disorder and the impact of traumatic events. A longstanding client of ours was unable to purchase a second set of clothing, other than those in which he had fled his country of origin and in which he had been detained on arrival to the UK, until HBF applied for a charitable grant on his behalf.

The current asylum support rate is also insufficient to purchase seasonally appropriate clothing. Suitable winter clothing is expensive to buy, particularly at short notice when most required, and particularly if asylum seekers have dependent children who are often still growing at fast rates. Usually over the winter, HBF collect donations of winter clothing to distribute among our clients who are seeking asylum, but this is not a sustainable solution – state support should be sufficient to ensure people can clothe themselves.

**Recommendation:** The allocation of asylum support should be increased to be sufficient for the purchase of suitable clothing all year round, including for dependent children who will continually outgrow their clothes.

### ***Asylum support levels and their effect on children***

The 2020 Home Office review claims that *“any extra costs in some households of meeting particular needs (e.g. clothes for teenagers) are comfortably offset by the availability of economies of scale that mean other costs per person in the household fall. [...] Applying a flat rate... per person in a household therefore means that all families, regardless of their size and composition, will have sufficient to cover their full essential living needs.”* This is reiterated in the 2022 report, which also highlights that children of people seeking asylum will have access to free school meals and free travel to/from school. Whilst Free School Meals are now accessible to those in receipt of both section 95 and section 4, there are frequent issues with applying for Free School Meals from the local authority (which requires literacy in English and digital skills or access to third-party advocacy, and the local authority accepting proof of the person's asylum support reference number and grant of asylum support). In terms of free travel to/from school, this does not reflect the fact that due to the age of the child(ren) and/or distance from the asylum support accommodation to the school, parents need to take their children to school, thus spending more of the available weekly allowance on essential travel, resulting in less money available for food and other essentials.

## **School uniforms**

Home Office report (2020) estimates that the school uniform to be purchased within current asylum support rates for a child aged three-12 consists of two trousers/skirts, two polo shirts/blouses/shirts, one school jumper, one pair of shoes, one school bag, and for a child aged 13+, one additional sports top, set of tracksuit bottoms and pair of shorts/skirt.

Anyone with school-aged children will know that this is not a realistic amount of uniform for children – it would require almost daily washing which would simply be impossible given the extremely low funding granted for laundry (see above) and ignores the fact that often children will need additional shoes for school. It is not clear why the Home Office doesn't believe that primary school children would need a PE kit. Even if the primary school does not require a uniformed PE kit, they would still require children to have suitable clothing for PE, which, as explained above, is not always possible for those seeking asylum.

Furthermore, it is well known that school uniforms can be prohibitively expensive due to the number of (often branded) items required, and these are not always available from the three shops surveyed as part of the assessment.<sup>17</sup>

The 2018 Home Office report claimed that “in most cases if a child is entitled to free school meals... it is likely that the child will be entitled to apply for [school uniform] grants”. HBF has a running record of the availability of these grants across the 32 London boroughs, and we find that they were generally inaccessible. In 21 of 32 boroughs, it is not possible to apply for a school uniform grant from the local authority, even if in receipt of free school meals, because of various reasons: in some local authorities the school uniform grant had been abolished; it was only available to people not subject to immigration control; asylum support was not listed as a qualifying benefit; or there was no information online regarding the existence of a council-funded grant scheme, despite significant research.

In eight of those boroughs, would-be applicants for a school uniform grants are advised that the council does not have its own grant for school uniforms, and to enquire at the school itself regarding their policy. This places the onus on the family in receipt of asylum support to find out from the children's school, rather than being an automatic acceptance, in the case of free school meals under the government's Pupil Premium scheme.

In seven of the boroughs that do offer some assistance, children of families in receipt of asylum support can apply for a school uniform grant only if transferring to secondary school that year, and therefore for a specific and time-limited purpose, or in 'exceptional circumstances'. We note that the Home Office does not refer to school uniform grants in its 2020 review.

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<sup>17</sup> <https://www.childrensociety.org.uk/information/professionals/resources/the-wrong-blazer>

We are aware that under section 96(2) of the Immigration and Asylum Act 1999, if the circumstances of a particular case are exceptional, further support may be provided to a person seeking asylum and any dependants “in such other ways as considered necessary”.<sup>18</sup> However, the need for new school uniforms (and other clothes and shoes for children) is a continual and annual need, and should therefore be allocated as standard, rather than requiring families to complete the complex section 96(2) application and risk remaining unable to purchase the school uniform (and other vital clothing) for their children. HBF has submitted several section 96(2) applications for this additional support, for the explicit purpose of purchasing school uniform, but no response or decision to these applications has ever been received.

**Recommendation:** A more realistic allocation for school uniforms should be included in the asylum support rate. Children need more clothing than is currently considered and the current review does not recognise the additional cost of branded uniforms.

### ***Educational materials for children***

Research undertaken by the Children’s Society has highlighted that children living in the country’s poorest families say they are embarrassed as a result of not being able to afford key materials for school. Many families interviewed as part of their research showed that more than 25% of respondents said that this had led them to being bullied.<sup>19</sup>

The products suggested by the Home Office are not sufficient for children to properly enjoy and thrive in their education in the 21st century. The Home Office rates review includes the costs of ‘a 300 sheet A4 refill pad, and up to 20 ball point pens’ at £2.00 a year (4 pence a week), ignoring the fact that children will usually also need books, a calculator, pencil case, ruler, a rubber, a pencil sharpener, pencils, coloured pencils, and craft materials for school projects. Even if the children’s school provides the above items at school, they are often not able to be taken home in order to complete homework to a satisfactory level. It is also not possible for children in different school years to split and share resources to a satisfactory level.

HBF believes that the current rate of £40.85 does not sufficiently reflect the needs of families with children – and it is not always possible for people who are on asylum support to use economies of scale. Families arriving to the UK to seek protection often arrive with nothing but the clothes on their backs and have to, for example, purchase full sets of clothing for each member of their household at once in order to ensure they are dressed appropriately for the weather conditions in the UK. They are exposed to high costs and are

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<sup>18</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/598944/Applications-for-additional-support-v1\\_0.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/598944/Applications-for-additional-support-v1_0.pdf)

<sup>19</sup> <https://www.childrensociety.org.uk/what-we-do/our-work/ending-child-poverty>

unable to shop around for cheaper alternatives. Families often don't have enough money to pay for books and other educational resources for children; due to limited funds they have to prioritise feeding their children over supporting their intellectual and social development.

As outlined already, the rates of support provided to asylum seekers and their dependents are exceptionally low, and well below relative poverty thresholds. The adverse effects of poverty upon children have been widely researched, and children living in asylum support are no exception to this. Many of our clients with dependent children struggle to fully meet their needs with the current rate of support. HBF clients with children often struggle to buy the items that they need, including adequate nutritious food, clothing and educational items.

**Q4. Last year as part of the methodology, the 2020 £39.63 rate was used as a baseline which then was uprated by Sept 2020 3.1% CPI rate to £40.85. Do you consider there are better ways of assessing the appropriate amounts?**

Yes – please see our detailed answer to question 2. Given the flaws in the methodology used to reach the previous rate, we do not believe that this should be used as a baseline for uprating. Rather, we think that the current mainstream benefit rates should be used as the starting point – asylum support rates should then be calculated as a proportion of those rates, with up to a maximum of 30% of mainstream benefit rates deducted to account for costs that asylum support rates are not designed to cover, including “utilities and travel and other expenses incurred in looking for work”.

Furthermore, we would like to draw attention to the recent recommendation of the Work and Pensions Committee which highlighted that:

*“While an annual uprating is workable and effective at times of stable inflation, it is not appropriate in more volatile economic circumstances and is causing people real hardship. In the medium-term the Department should reduce the length of time between the inflation reference period and the uprating implementation date to allow more flexibility in the system, preferably to the previous quarter end or more recent if possible.”<sup>20</sup>*

**Q5. Please set out any views on other payments provided to asylum seekers. For example, the additional payments provided to those who are pregnant or who have recently given birth and those with young children (£5/£3 rates), the maternity payments (£300/£250) and the £8.24 offered to those housed in full-board accommodation.**

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<sup>20</sup> Para 24, <https://publications.parliament.uk/pa/cm5803/cmselect/cmworpen/129/report.html#heading-5>



We believe that the following changes should be made:

- Maternity payments to those on section 4 should be the same as those on section 95, so all parents of new-born children receive £300, as costs do not change dependent on the parent's/s' asylum status. The Home Office should also make clear what these payments are intended for and how they links up with actual costs – these rates have never been updated in line with inflation.
- All additional payments to parents with young children should be increased as these have not risen in line with asylum support and we believe the lists of adequate baby supplies and clothes do not cover essential living needs for parents with babies and small children.
- Weekly payments should be activated automatically when a baby is added to the support package and not have to be applied for separately.

### *Additional funding – Health Start scheme*

The Healthy Start scheme provides free vouchers for those who are pregnant or with children under the age of four. These vouchers can be used to obtain fresh milk, fresh and frozen fruit and vegetables, infant formula milk and vitamins. However, unlike the eligibility for Free School Meals, asylum support is not listed as a qualifying benefit. This excludes asylum seeking parents and their children from nutritional support deemed vital for other families on a low income (and in receipt of public funds).

**Recommendation:** The Home Office should review the additional payments to pregnant women, infants and young children to ensure that these are updated in line with Healthy Start benefits, since the extra payments also aim to support the health and wellbeing of vulnerable women and children.

### *£8.24 offered to those housed in full-board accommodation*

The £8.24 provided to those housed in full-board accommodation is inadequate to meet essential living needs. We understand that these payments were agreed in order to meet needs related to clothes, non-prescription medication and travel. See above regarding the current inadequacy of the Home Office's methodology and the amount provided to meet these needs for people who are in dispersal and full-board initial accommodation in terms of clothing and travel.

In addition, many people find the food provided in full-board accommodation difficult to tolerate. This is for many reasons, in part the repetition of the same food every day and the need to maintain a specific diet for health reasons, as well as the total lack of autonomy in having no money available for any kind of food chosen by the person themselves.

The psychological and material impact of this low amount is exacerbated by the length of time people remain in hotels. According to the Refugee Council's latest report, at the end of

2021, regarding people accommodated in hotels: 15,834 people had been housed in hotels for less than three months; 7,338 had been housed for over three months but less than six; 2,876 had been housed for over six months but less than one year, and 378 people had been housed for over one year.<sup>21</sup> A large number of these people will have received only £8.24 per week, if at all.

**Recommendation:** The Home Office should review and increase accordingly the payment provided to those who have been granted support under section 95 or section 4 who are living in full-board initial accommodation. It should be clarified that people eligible for additional payments (e.g. £3 for pregnancy/child under five, £5 for child under one) should be paid automatically, and not require a separate request.

**Recommendation:** there is often a prolonged delay in a person being formally granted support under sections 95 or 4, and actually receiving an ASPEN card with payments (which are rarely backdated to the date the person was legally granted support), with much third-party advocacy required (in our experience) to chase the ordering and delivery of the ASPEN card. The Home Office should review the processes related to this.

#### *£35 offered to those housed in self-catered temporary/initial accommodation*

We have become aware that people who have been granted support under sections 95 or 4 but have not been dispersed to actual dispersal accommodation yet, and are living in self-catered temporary/initial accommodation, receive only £35 per week, as opposed to the current dispersal rate of £40.85. It is unclear why there is this lack of parity (albeit parity between two very low amounts of subsistence support), and there appears to be no published policy or guidance on this matter. People housed in self-catered temporary/initial accommodation receive no support akin to that which is ostensibly available in catered/full-board accommodation (such as access to phones), and their material needs are just the same as those in dispersal accommodation (i.e. they must buy and cook their own food, purchase clothing for themselves and their children, travel independently, pay for communication).

**Recommendation:** The Home Office should increase payments for those in self-catered initial/temporary accommodation to be in line with those provided to people in dispersal accommodation and provide backdated payments accordingly.

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<sup>21</sup> <https://media.refugeecouncil.org.uk/wp-content/uploads/2022/07/21080057/Lives-on-hold-research-report.-July-2022.pdf>

## Q6. Is there anything else you wish to tell us about the asylum support rates?

It is important to note those on asylum support have not received any of the additional forms of support during the pandemic such as the £20 uplift or the payments in the latest support package,<sup>22</sup> including the £650 one-off cost of living payment (which will go to those in receipt of existing income-based means-tested benefits but not to those with NRPF), and the £300 one-off Pensioner Cost of Living Payment; these payments are for general cost of living increases in recognition of the struggles of those on low incomes, but excluding those on asylum support. This is even though the threshold for eligibility for asylum support is destitution - so far lower than access to benefits – and people seeking asylum start from an even lower base rate with no savings to fall back on.

We have also noticed that, as well as people receiving £35 in self-catered accommodation, that sometimes people seeking asylum simply receive the wrong amounts of financial support. One client who should have gotten his amount increased to £40.85 when moving to dispersal accommodation was paid £36.46 instead. When we raised this with Migrant Help, they informed us that sometimes the wrong amounts just get paid. In other circumstances we have seen the Home Office deduct money based on unclear and inconsistent calculations because, for example, they are providing items such as toilet paper (this is separate to the issue of deductions as a result of overpayment). These deductions and the reasons behind them are also not communicated to the client. Given the low rate of asylum support even 'small' deductions account for a significant percentage of an individual's income and have a negative impact.

**Recommendation:** The Home Office should only be able to issue a set number of standard amounts based on a person's circumstances that are published and for which the calculations are transparent and clear.

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<sup>22</sup> [Cost of living support factsheet: 26 May 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/108443/cost-of-living-support-factsheet-26-may-2022.pdf)