

Advice First Aid

Immigration: The Basics

31 October 2024

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Aims of Today

- To have a conversation on immigration issues affecting your communities
- To understand changes from physical visas to Electronic visas (E-visas)
- To identify advice issues relating to Newly-granted Refugees and people with No Recourse to Public Funds
- To know where to get specialist immigration advice

Agenda

10:00 : Welcome and Introductions

10:10 – Section 1 : Citizens Advice, E-visa, NRPF, Q&A

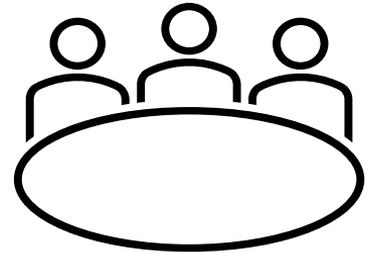
11:30 - Break

11:45 – Section 2 : Refugees, Children, British Citizenship, Immigration Support

12:45- Q&A and feedback

Introductions

- Name and Organisation
- What are the immigration issues you experience in your community?



Disclaimer

Although Citizens Advice Wandsworth trains volunteers to identify local residents in need of advice and refer residents to local services, no liability attaches to Citizens Advice for any assistance or service offered by other organisations.

Equally as volunteers at Wandsworth Foodbank we are not training you to be advisers. The additional training helps us to better understand guest's needs and refer them on to the right places for support, advice and further help.

Who are Citizens Advice Wandsworth?

We are an **independent local charity** and part of the national Citizens Advice network. We:

- Provide information and advice for people who live in Wandsworth on a range of issues
- Spot patterns with the problems our clients bring, and try to raise these in local and national policy
- Work with partners to empower the community



Citizen's Advice Aims and Principles

Aims

- To provide advice people need for the problems they face
- To improve the policies and practices that affect people's lives

Principals

- Independence
- Impartiality
- Free
- Confidentiality

www.citizensadvice.org.uk

<https://cawandsworth.org/>

Delivering Immigration Advice

- Immigration advice can have a huge impact on a person's life, and is strictly regulated
- It is a criminal offence for a person to provide immigration advice in the UK unless their organisation is regulated by the Office of the Immigration Services Commissioner (OISC)
- Find a registered immigration adviser on OISC website www.gov.uk/find-an-immigration-adviser

Citizen's Advice is registered to OISC 1



- Advice and assistance only for straightforward cases (e.g vary conditions on leave already granted)
- Notifying UKVI of change of details
- Casework provided on some EUSS applications

E-visas

What are E-visas and how do they work?

- An eVisa is a digital record of a person's immigration status
- The government is replacing physical immigration documents with digital proof of immigration status called an eVisa . This can be accessed by setting up a UK Visa and Immigration (UKVI) account
- For people already living in the UK, and new visa customers
- An eVisa will be linked to a person's passport within the UKVI account so that their immigration status can be easily identified when entering or exiting the country
- A person can share their immigration status information with third parties, such as employers or landlords, by generating a share code in the "view and prove service", which will give them time-limited access to the immigration status information
- Moving to an eVisa will **not** impact a person's immigration status - The date on their BRP is NOT the date their actual status expires

Who needs to apply

If someone has one of the following , they should apply for an E-Visa

- biometric residence permits (BRP)
- biometric residence cards (BRC)
- passport endorsements, such as 'indefinite leave to enter' wet ink stamps
- vignette stickers in passports, such as entry clearance or visa vignettes

Who doesn't need to apply

If someone has applied to the EU Settlement Scheme (EUSS), they should already have a UKVI account and digital access to their status.

If a person already has a UKVI account and are having issues accessing it, Contact UKVI resolution team: 0300 790 6268

How to apply

1. Create a UK Visa and Immigration (UKVI) account by following the steps on <https://www.gov.uk/get-access-evisa>
2. Once a UKVI account is created, a person will be able to view the details of their eVisa online, for example type of permission, when it expires and conditions of stay in the UK.
3. The eVisa will be linked to a person's ID documents in their UKVI account. Keep passports or ID card details up to date in the UKVI account so that the immigration status can be easily identified when entering or exiting the country.
4. If a person's eVisa is linked to a BRP and a person wants it also linked with travel document/passport, this can be done in the account.

How to apply



<https://www.youtube.com/watch?v=9lqAbBCfBYI>

Applying for Children

- A Parent/Guardian can create a UKVI account on behalf of a child
- You will need Child's Date of Birth and documents
- Parents/guardians can use their contact details like phone number and email
- These can be changed to the child's details when they reach 18 by updating the phone number and email address using the 'update your UK Visa and Immigration account details' service

Issues with ID

A person can use their travel document, such as a passport, and visa application reference number to create a UKVI account if BRP card has been lost or stolen.

There will 'soon' be a new process for those without a valid identity document to apply for a UKVI account. Meanwhile, DWP/HMRC can make direct checks of their status if they have no BRP, and employers and landlords can use the checking services, which turn over enquiries within 2-3 days

Seek further advice



Wet Ink stamp/Vignettes

If a person has indefinite leave to enter or indefinite leave to remain (also known as settlement or settled status) and currently proves their rights through a different type of physical document, such as a wet-ink stamp in a passport or a vignette sticker, then they should make a free 'no time limit' (NTL) application to replace that document with a BRP. Once they have a BRP, they'll be able to create a UKVI account to access an eVisa.

Homes for Ukraine- vignettes will continue into 2025, new guidance will be issued in due course



NTL applications

- A No Time Limit (NTL) application is when a person asks for a Biometric Residence permit (BRP) to replace their passport stamp/sticker, or by a paper immigration status document for indefinitely leave to remain.
- People will now get an online account and eVisa instead.
- Those who've already applied will not get a BRP after 31 October, and will be told how to create a UKVI account or will have one created for them
- Applicants without a valid identity document or who say they cannot be contacted by email will be asked to use the current version of the form instead and to provide residence details

Key Tips!

1. Keep your old documents!
2. Apply for a UKVI account as soon as possible
3. Do the application in a place with good lighting and strong internet connection
4. It is easier to do the application with 2 devices
5. You can use someone else's phone if yours does not work or if you do not have one
6. It may take some time (48hrs) to connect the ID document to the UKVI account



Home Office Videos

1. What is an E-Visa -
<https://www.youtube.com/watch?v=54rPXUHuM3I>
2. How to make a UKVI account -
<https://www.youtube.com/watch?v=9IqAbBCfBYI>
3. How to use E-visa when travelling -
<https://www.youtube.com/watch?v=xdZLXvfau2A>
4. How to prove your status -
<https://www.youtube.com/watch?v=wkAYXeDzIrg>

Where to get help

❖ South West London Law Centre

- Phone: 020 8767 2777 (Mon-Fri, 9:30am – 4:30pm)
- Email: evisa@swllc.org
- <https://swllc.org/evisa-transition/>

❖ We Are Group

- visa@we-are-digital.co.uk
- Text 'VISA' and a number to call you to 07537 416 944
- Telephone: 03333 445 675
- Monday to Friday, 9am to 6pm

❖ Migrant Help

- Telephone: 07483 170100
- Email: evisa@migranthelpuk.org

❖ RAMFEL (Refugee and Migrant Forum of Essex and London)

- <https://www.ramfel.org.uk/evisa.html>
- Telephone: 02070 525 212
- Email: evisas@ramfel.org.uk

❖ UK Visa and Immigration Centre

- General information only, no specific case details
- Telephone: 0300 790 6268 - select option 2
- Monday to Thursday (excluding bank holidays), 9am to 4:45pm
- Friday (excluding bank holidays), 9am to 4:30pm

❖ [List of organisations - GOV.UK](#)

How to contact CAW



Call AdviceLine free number 0808 278 7833
Mon-Fri 10am-4pm



Fill in online enquiry form
<https://cawandsworth.org/our-projects/sanctuary/>



Visit Battersea or Roehampton office.
Only if not possible to call/use the form

Activity 1: Who should apply?



Imran has Limited Leave to Remain for 3 years and has a Biometric Residence Permit



Katryna has Settled Status and been in the UK for over 5 years



Fariba has had Indefinite Leave to Remain for 2 years and has recently been granted British Citizenship

No Recourse to Public Funds

No Recourse to Public Funds

A person will have NRPF if they are a foreign national and have a visa or residents permit and:

- 'no public funds' is one of the conditions of stay (what a person can and can't do in the UK)
- a family member or friend made an agreement called a 'maintenance undertaking', which means they said they'd give the person somewhere to live and support them financially
- a person does not have permission to stay in the UK at the moment - for example, entered illegally or visa has expired and haven't applied for an extension

Support whilst NRPF and Getting NRPF condition lifted

- Support provided by Social Services if a child is identified as being in need (S.17 of Children Act 1989)
- Support provided by Social Services if an adult has care or support needs (Care Act 2014 and Mental Health Act 1983)
- The Home Office provides support to destitute asylum seekers
- **Wandsworth Council Discretionary Social Fund** will provide support for those with NRPF (3 applications max)
- Specialist immigration advice to lift the NRPF condition. In very limited circumstances

Benefits you can claim with NRPF

Benefits that are [not classed as public funds](#) include:

- Bereavement Benefit and Widow's Benefit (now replaced by Bereavement Support)
- New Style Jobseekers Allowance and contributory-based Jobseeker's Allowance
- New Style Employment and Support Allowance and contributory-based Employment and Support Allowance
- Guardian's Allowance
- Incapacity Benefit
- Maternity Allowance, Statutory Maternity Pay
- Retirement Pension
- Statutory Sickness Pay
- A council tax discount (However, Council Tax Reduction is a public fund and cannot be claimed by a person who is subject to the NRPF condition)

NRPF Organisations

- **Project 17:** Provides information and support to families with children who have NRPF
- **NRPF Network:** Good source of information but much of it aimed at local authorities
- <https://www.nrpfnetwork.org.uk/>
- **Refugee Council** – London Destitution Service (based in Hackney)
- <https://refugeecouncil.org.uk/get-support/services/london-destitution-service/>
- **Red Cross Refugee Support** (based in Islington)
- <https://www.redcross.org.uk/get-help/get-help-as-a-refugee>
- **The Unity Project** - assist destitute people with 'No Recourse to Public Funds' (NRPF)
- <https://www.unity-project.org.uk/>

Activity 2 : Which Benefits are NOT Public Funds

Personal Independence Payment

Statutory Maternity Pay

Statutory Sick Pay

Income-related Employment and Support Allowance

Retirement Pension

Universal Credit

Any Questions?



Break – 15 Mins

COFFEE BREAK



Refugees

Refugees

1951 UN Refugee Convention:

"a person who is unable or unwilling to return to their country of origin "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion"

Asylum Seekers



Refugees- Getting your Status

Ukraine – Homes for Ukraine, Family Scheme, Ukraine Extension Scheme. Ukraine Permission Extension scheme (additional 18months, applications open early 2025)

Humanitarian grounds - granted to individuals who do not qualify for refugee status but still require protection due to the risk of serious harm or persecution if they return to their home country.

DV - Migrant Victims of Domestic Abuse Concession

Syrian - Syrian Vulnerable Persons Resettlement Scheme

Afghan - ARAP (Afghan Relocations and Assistance Policy) – from 1 April 2021 and ACRS (Afghan Citizens Resettlement Scheme) - from 6 January 2022

Palestine – No official scheme, <https://www.refugeecouncil.org.uk/get-support/support-and-information-for-people-affected-by-the-crisis-in-palestine/>

Refugees - Once you get your status

1. Money

- Make a claim for Universal Credit straight away
- 5 weeks wait for payment, can ask for advance
- <https://www.citizensadvice.org.uk/about-us/contact-us/contact-us/help-to-claim/>

2. Housing

- 28 days to leave Home Office accommodation.
- Make a Homeless Application with the council for support
- <https://www.wandsworth.gov.uk/housing/homelessness-and-temporary-accommodation/preventing-homelessness/our-homelessness-duties/homelessness-application-process/>
- Look for private accommodation straight away

3. Work

- <https://www.wandsworthworkmatch.org/>
- <https://breaking-barriers.co.uk/>
- Afghan and Central Asian Association (ACCA) - <https://aca.org.uk/>
- <https://www.refugeecouncil.org.uk/get-support/services/refugee-employment-advice-support-service/>

Children

Children Born in the UK

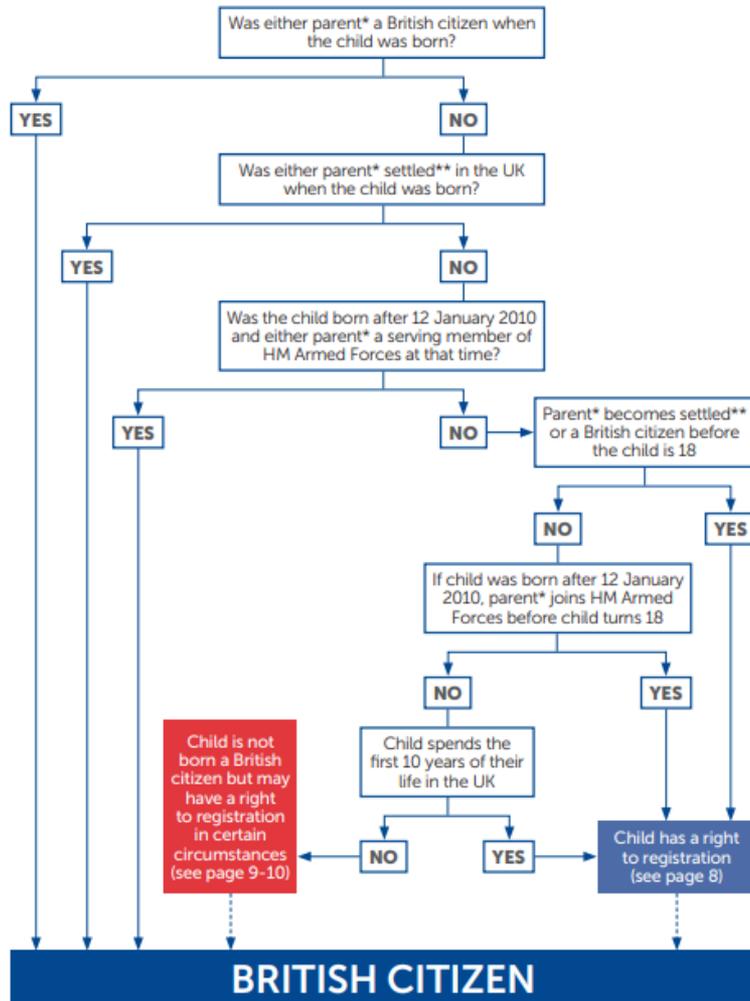
Children born in the UK are NOT automatically British

It depends on

- the year the child was born
- parents' circumstances.

If parents lived in the UK less than 5 years before the child was born, the child is usually NOT automatically British.

Children born in the UK



Activity 3: Case study - Amina

Amina was born in London in 2012 and has always attended school in the UK.

Her parents move to the UK in 2010 from Nigeria.

The family is planning to go abroad, and they want to apply for Amina's British passport

Amina is NOT *automatically* British and cannot apply for a British passport



Children Born in the UK

- Check if a child is automatically British on gov.uk
- www.gov.uk/check-british-citizenship
- If child is automatically British, they can apply for British passport,
- If child is not automatically British, they need immigration advice regarding their options to live permanently in the UK

Immigration advice for children

- **Youth Legal:** www.youthlegal.org.uk
- Independent charity based in Wandsworth, assisting vulnerable young people. Free advice on immigration, housing, debt and community care
- **Coram Children's Legal Centre:** www.childrenslegalcentre.com/
- Free legal information, advice and representation to children, young people, families, carers and professionals in immigration, community care, education and family law
- **Project for the Registration of Children as British Citizens (PRCBC)** www.prcbc.org
- Free legal advice, aid, assistance and services in relation to registering children and young people as British citizens

British Citizenship

British citizenship

- Check if citizenship is right! A person might be able to stay in the UK without applying for citizenship
- They need to have Indefinite Leave to Remain or "Settled Status" for at least 12 months AND have lived in the UK for 5 years.
- There is also a requirement for knowledge of English and passing the "Life in the UK" test
- Check which application form they should use (registration/naturalization)
- Most adults get citizenship by applying to 'naturalise'
- Seek immigration advice before applying

British citizenship - costs

- Fee: £1,630 for adult. You will not get your money back if your application is refused.
- Fee waivers option available for under 18s only.
- £50 to do the Life in the UK Test
- approx. £150 if you have to do an English test (unless from these countries)
- Exempt if over 65 or illness

Activity 4:

- Look at the family circumstances and discuss
- - what additional information you need ?
- - are the children British citizens?
- - can anyone apply for a British passport?

Discussion – 10 min

Activity 4:

- Isha is a single mother and has 2 children, a boy 10 and a girl 8. She is on speaking terms with the father of the children.
- Isha was born in India and came to the UK in 1995.
- Both Children were born in the UK

Fee Waivers - 1

- You might apply for a **fee waiver** if you can't afford to pay the fee, or the Immigration Health Surcharge
- Fee waivers are not available for all applications:
 - YES: for human rights applications
 - NO: for indefinite leave to remain, or citizenship
- You can apply even if you have No Recourse to Public Funds (a fee waiver is not a public fund)

Fee Waivers - 2

- You need to apply [on-line on gov.uk](#) 28 days before your current leave to remain expires
- There is no right of appeal against a fee waiver decision
- Useful [info sheet](#) produced by The Joint Council for the welfare of Immigrants

Immigration Support Websites

[Gov.uk](#)

[Citizens Advice](#)

[Free movement](#)

[The Joint Council for the welfare of Immigrants](#)

[NRPF Network](#)

[Right to Remain toolkit](#)

Immigration Support Organisations

- Citizens Advice Wandsworth – immigration adviser
- [South West London Law Centre](#)
- [Cardinal Hulme Centre](#) Work with homeless charities
- [Notre Dame Refugee Centre](#) Provides advice and support for refugees and those with precarious immigration status
- Find a registered immigration adviser on OISC website - www.gov.uk/find-an-immigration-adviser

Any Questions?



**Thank you for Your
Feedback**



Immigration: The Basics, online
training feedback 31.10.24



<https://forms.office.com/Pages/ResponsePage.aspx?id=sOZPp6ehdUarB87FB1B5t2hPVweum35Cjf0R8VWU17IU-VNNVjBGNDJETkVDTFNIR1VCM1IRWi4u>

Thank You

