

A Few Useful NRPF Contacts
/ Resources

NRPF Network : www.nrpfnetwork.org.uk

Project 17 Hub: www.project17.org.uk/s17-hub/

Housing Rights: www.housing-rights.info

Government NRPF guidance, referral, application for s95 support:

www.gov.uk/asylum-support

Asylum Help UK:

Telephone: 0808 801 0503
Monday to Friday, 8am to 8pm
(24-hour service for emergencies)

‘Top Tips for Supporting Families who have NRPF’, by Hannah Thomson, Community Care Magazine, June 2016.

‘Safeguarding Children from Destitution’, produced by COMPAS (Oxford University).

‘No Place to Call Home’, produced by Hackney Community Centre.

NB. This leaflet does not constitute legal advice.

Details about Eddie O’Hara

Eddie O’Hara is a registered independent consultant social worker and qualified primary teacher, with over 35 years experience of ongoing direct work with children, families & adults in all fields of social work across the UK and further afield.

Eddie also provides a range of training to local authorities, regional and national addiction services (drugs, alcohol, gambling), schools, women’s center, fostering and adoption agencies and holds various associate training posts involved with safeguarding training the Police and the National Crime Agency.

IMMIGRATION STATUS	WHAT IT MEANS	ENTITLEMENTS & RESTRICTIONS
Indefinite leave to remain	Able to stay indefinitely in the UK	Free to work. Free to claim welfare benefits
Tier 4 (General) Student Visa	Leave to remain to study in the UK for people over the age of 16	Restrictions on the number of hours able to work. Unable to claim welfare benefits.
Pre-settled status	Leave to remain as an EEA national or family member who has been in the UK less than 5 years	Free to work. Free to claim benefits as per <i>Fratila and Tanase v SSWP</i>
Settled status	Able to stay indefinitely in the UK	Free to work. Free to claim welfare benefits
Visa overstayer – no outstanding application	In the UK in breach of the immigration rules. At risk of removal from the UK	Not allowed to work. Unable to claim welfare benefits.
Visa overstayer – outstanding human rights application	In the UK in breach of the immigration rules. Able to remain in the UK to hear the outcome of the immigration application	Not allowed to work. Unable to claim welfare benefits.
Refugee	Leave to remain in the UK for 5 years because they were forced to leave their home country due to persecution	Free to work. Free to claim welfare benefits
Asylum seeker	Applied to the Home Office for recognition as a refugee and is waiting for the outcome of the application	Not allowed to work. Unable to claim welfare benefits. May be able to claim section 95 asylum
Refused asylum seeker	Applied to the Home Office for recognition as a refugee. Has been refused and exhausted all appeal rights	Not allowed to work. Unable to claim welfare benefits. May be able to claim section 4 asylum support.
Limited leave to remain on human rights grounds	Leave to remain in the UK for 30 months granted under the immigration rules	Free to work. Usually unable to claim welfare benefits (except under the destitution exception).
EU national arriving after 31 December 2020	Leave to enter granted at the border. Further leave required to work or study.	Not allowed to work. Unable to claim welfare benefits

The above table was produced by Project 17

Eddie O’Hara

Social Work Services Ltd

NO RECOURSE TO PUBLIC FUNDS (NRPF)

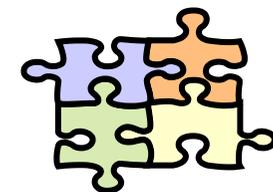
What is NRPF?

What does NRPF mean?

Who does NRPF apply to?

What services does NRPF NOT apply to?

How can I help someone who has NRPF?



(February 2021 Version)

What it is?

- ◆ The term NRPF is a 'Condition' which can be attached to a person's Immigration Status. NRPF denies a person the right to most welfare benefits or public housing. However, there are many people with NRPF in the UK legitimately and do have the right to work or rent privately, their Immigration Status is set individually by the Home Office.

What does it mean?

- ◆ Some adults and families due to a variety of reasons can find themselves destitute and / or roofless. When this occurs they might seek help from charities, family, friends or the Local Authority (Social Services)
- ◆ The UK courts have accepted that a child without accommodation and / or no money for basic needs is by definition, a Child in Need as defined by Section 17 of the 1989 Children Act.
- ◆ Some adults and families who are referred to Social Services might be required to seek support from the Home Office as per the 2020 Immigration Act. Social Services can facilitate this process and might offer interim support for a child and their family during the transition.
- ◆ Some families are excluded from claiming assistance under Section 17 of the 1989 Children Act, where this is the case Social Services might undertake a Human Rights Assessment, offer advice and / or support to the family to find alternative solutions to their destitution.

- ◆ From Nov 2020 the current Immigration Act (2020) mean that some families will need to seek support under Schedule 3 of the Nationality, Immigration and Asylum Act 2003, rather than under Section 17 of the 1989 Children Act.
- ◆ A local authority has a duty and responsibility not to leave a person or family destitute while assessments (Child in Need s.7 1989 Children Act / Care Act 2014 assessments, Human Rights etc.) are being carried out as this would likely be a breach of their Article 3 & 8 of the European Convention on Human Rights 1998. Interim support should be considered and offered.

Who does it apply to?

- ◆ Asylum seeking individuals and families / Refused asylum seekers / Visa overstayers.
- ◆ Not all families from abroad have the same Immigration Status. Home office paperwork held by the individual will clarify their NRPF status. Their status may be stamped on their visa. If it is not stamped on their visa then NRPF 'Condition' may not affect them. Many families despite their NRPF are living well in the UK
- ◆ The local authority will use the 1989 Children Act, Working Together 2018 (updated 2020), care Act 2014, the NRPF Network Local Authority Guidance 2020 and Project 17 Guidance to help them to assess and administer the appropriate signposting, support and assistance.

What services does NRPF NOT apply to?

- ◆ Education / Health / Legal Aid / Emergency Assistance / Social Services Support (Section 17 of the 1989 Children Act) applies to children and their whole family's needs relating to destitution.)
- ◆ Where there are safeguarding concerns these take priority over NRPF considerations.

How can I help someone who has NRPF?

- ◆ If a family presents as 'Destitute' (roofless) without any means of support, refer them immediately to Social Services who have legal duties under the 1989 Children Act & Care Act 2014 to provide accommodation and financial support whilst they undertake relevant assessments.
 - ◆ Families fleeing domestic violence who are assessed as being 'in need' may be eligible for temporary support under Section 17 of the 1989 Children Act, supported to a place of safety and / or ongoing support pending the outcome of a Children's Service Assessment.
 - ◆ In ALL cases make sure you sign post families ASAP to their local legal aid / immigration advice centers so that their immigration status can be clarified, supported and where the issue of any Human Rights assessments can be considered.
 - ◆ If in any doubt seek advice....do not offer well intended, but incorrect advice, as to do so is actually illegal as per the 2016 Immigration Act.
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