



Home Office

# Applications for additional support

Version 1.0

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# About this guidance

This guidance tells you how to consider an application from a supported asylum seeker for additional support under section 96(2) of the Immigration and Asylum Act 1999, including the ways in which that additional support may be provided.

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email Asylum Policy inbox.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

## Clearance and publication

Below is information on when this version of the guidance was cleared:

- version **1.0**
- published for Home Office staff on **16 March 2017**

## Changes from last version of this guidance

This is a new instruction intended to clarify an important area of policy for case workers and those who may wish to make an application under this provision.

### Related content

Asylum support instructions and letter templates on Horizon

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# Section 96(2) of the Immigration and Asylum Act 1999

## Essential living needs

Section 95 of the 1999 Act enables the provision of support to asylum seekers or dependants of asylum-seekers who appear to the Secretary of State either to be destitute or likely to become so within 14 days.

The support provided generally includes a cash allowance to cover 'essential living needs' that are not met through other parts of the overall package of support provided.

The cash allowance should generally be sufficient to cover the following needs:

- food
- clothing
- toiletries
- non-prescription medication
- household cleaning items
- communications
- travel
- the ability to access social, cultural and religious life (covered by the funding provision for communications and travel)

The level of the cash allowance takes into consideration that other essential living needs (for example, warmth, cooking, lighting) are covered by the provision of accommodation that is free of both rent and utility bills (fuel and water) and is also fully furnished and equipped with both household goods (for example kitchenware, access to laundry services) and linens (towels and sheets for example).

## Further support

Section 96(2) of the 1999 Act sets out that if the Secretary of State considers that the circumstances of a particular case are exceptional, further support may be provided to the supported person and any dependants in such other ways as considered necessary.

If it is considered that further support is necessary, this may be provided in a variety of ways, including:

- in cash
- in kind
- by changes to accommodation arrangements
- by changes to other arrangements

Pregnant women and young children may have further needs. These are usually met through the existing additional cash allowances to pregnant women and children

aged under 3, as well as through the maternity payments to expectant mothers. It is possible, however, that in a given circumstance, the normal cash allowance, including the additional payments mentioned above, may not be capable of meeting a specific need. In such circumstances, an application for further support may be considered. Each request should be dealt with on its own individual merits.

## Consideration of further support

A request for further support will not be entertained if it simply amounts to something extra that the person wants. Each case will need to be considered individually but in general the person will need to show:

- a need that is essential and different from the needs of asylum seekers in general
- an essential need which is common to all asylum seekers but which is more costly to meet because of their particular circumstances

Broad scenarios may include:

- someone who needs to make a high number of essential journeys and therefore needs to either change the location of their accommodation or be provided with extra cash to pay for the fares or be provided with travel tickets
- someone who is able bodied generally, but who requires a defined additional resource to alleviate needs brought about by a health condition for a specific time period - for example, a person may be recovering from an operation and may need help with shopping for a short period
- where an exceptional event leads to circumstances requiring additional expenditure - for example, a person may need to replace clothing or other items lost in a fire

## Ways of meeting essential needs

It should be noted that a need, even if it is accepted that it is essential, will not need to be met by the Home Office if it can be covered elsewhere. This includes where the need can be met by public bodies, such as local authorities, for example through assistance with healthcare and education. Many needs may already be capable of being met from other sources, for example by the availability of access to cheap or free school uniforms, school transport, school lunches, or care needs, including personal care adaptations for the disabled.

## Making an application for further support

Supported persons who believe that, because of their particular circumstances, they have a need for further support, must apply using the application form ([ASF2](#)) setting out:

- the details of the need
- the details of their particular circumstances

- the details of the further support needed
- its cost
- its likely duration

Documentary evidence must be provided wherever possible to support the application.

Applications may be made either by:

- contacting the [Asylum Support Application Service](#) for assistance in completing and submitting the [ASF2](#)
- completing the [ASF2](#) and submitting it to the asylum support casework team

## Casework considerations

Whether a perceived need is to be judged as exceptional must be decided on a case-by-case basis, and it is for the caseworker to decide on the level of further support, taking into account all of the available evidence. Further support does not have to be provided in the form of additional cash. The issue may be one of access to services that can be resolved by a change of accommodation, for example by changing the Post Office at which someone obtains their allowance.

Advice should always be sought from a senior caseworker or team leader where there is any doubt. Additionally:

- in medical cases, caseworkers may seek the advice of the Asylum Support Medical Adviser (ASMA), if necessary - for advice on contacting the ASMA, please refer to the appropriate section in the Healthcare needs and Pregnancy Dispersal Policy
- where the initial decision is to agree a request for further support, caseworkers must notify the applicant in writing and confirm the details of the further support to be provided, including how it is to be provided, the amount (if additional cash is being provided), and the length of time it is being provided
- where further support is provided, caseworkers must regularly review the case to ensure that the correct level of additional support is provided for the necessary period of time - see also Overpayments
- where the initial decision is to refuse a request for further support, caseworkers must ensure that the decision is referred to a senior caseworker, team leader or asylum support policy colleagues before the refusal letter is sent to the supported person - the refusal letter must set out the reasons for refusal

## Related content

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