

# Extra asylum support payments for people on section 95 and section 4 support

Oct 2018

Factsheet 9

The information contained in this factsheet is intended for guidance only. While every effort is made to ensure it is correct at time of publication, it should not be used as a substitute for legal advice. For client specific advice please contact ASAP

**Pregnant women and parents with dependent children are entitled to receive some extra payments to their support package. People with an 'exceptional' need for additional support can also apply for extra payments. This factsheet provides an overview of these payments and a guide on how to apply for them.**

## Our telephone advice line

If you still have questions or need further information and advice after reading this factsheet, please contact our advice line on 020 3716 0283. It is open Mondays, Wednesdays and Fridays from 2pm to 4pm. Please note, this is a 'second-tier' advice line. This means that we can give advice to other advice workers but not to individual clients.

## Section 95 support

Section 95 is provided to asylum-seekers whose claims for asylum have not yet been fully determined. This usually means that they must still be waiting for a decision from the Home Office on their asylum application, or the Asylum and Immigration Tribunal on their asylum appeal. For more information on s95 support see [factsheet 1](#).

Section 95 support consists of weekly cash payments of £37.75 for each member of the household that are loaded onto a supported person's ASPEN card. An ASPEN card is a debit card which can be used to withdraw cash from an ATM and can also be used as a payment card in selected shops. Any extra payments are loaded onto the ASPEN card. Extra payments for women and children on s95 support include a maternity grant, some extra payments during pregnancy and extra payments for children up to the age of 3, as follows:

## Maternity grants

Pregnant women in receipt of s95 support are entitled to a one-off maternity grant of £300. If a woman is expecting twins, she is entitled to £600. To claim a maternity grant a woman must send a signed letter to the Home Office, via Migrant Help, requesting the grant. She can put in the claim eight weeks before the expected due date (EDD) or up to six weeks after the birth. The letter must

also include one of the following documents:

- An original full birth certificate
- An original MAT B1 certificate (this is provided by the GP or midwife and states the expected date of the baby's birth)
- Some other original, formal evidence of the birth.

Once the Home Office receives and records the request for a maternity payment it should then return the original documents to the woman. It is advisable to send the request by recorded delivery and keep a copy of what was sent.

Women who have recently claimed asylum and are living in initial accommodation will normally receive the maternity grant by way of emergency or interim support tokens.

### **Extra payments during pregnancy**

For the duration of her pregnancy a woman on s95 support is entitled to receive £3 extra a week. To claim this she needs to write to the Home Office, via Migrant Help, informing them that she is pregnant, and include an original copy of either the MAT B1 (see above) or a letter from her midwife or GP confirming the pregnancy.

### **Extra payments for children under 3 years**

There are two levels of extra payments for children up to 3 years. These payments are in addition to the standard weekly allowance for children. Parents with children under 12 months are entitled to receive an extra £5 a week, and for children between 1 and 3 years they can claim an extra £3 a week. To claim these payments, women should write to the Home Office, via Migrant Help, informing them of the child's birth and age, and include the original full birth certificate for the child concerned.

For newly arrived asylum-seeking women with dependent children, information about their children, including their ages, should be sent with the application for s95. The Home Office policy bulletin on maternity payments and extra payments for those with children is available at Chapter 25 of [Asylum Support: Policy Bulletin Instructions](#).

### **Extra payments for people with 'exceptional' additional needs.**

People being supported under s95 can apply for an extra payment(s) to meet an essential living need that is not already adequately covered by the standard asylum support payments and cannot be met by any other source of support.

The Home Office guidance on these payments states that the circumstances of the applicant must be 'exceptional' in some way. The Home Office must decide that the need is essential and different from the needs of asylum seekers in general or that it is an essential need which is common to all asylum seekers but which is more costly to meet because of the particular circumstances of the applicant. Non-exhaustive examples given are: someone who has been in hospital and needs extra support while they are recovering back in their accommodation, someone who needs to undertake a higher than usual number of essential journeys and someone who has lost possessions in a house fire.

The guidance also notes the Home Office can agree to meet the exceptional living need through 'in kind' support, as well changes to accommodation (or other support) arrangements. The guidance and application form can be found [here](#). The request must be made via Migrant Help.

### Section 4 support

Section 4 support is provided to some groups of refused asylum-seekers who meet a narrow set of criteria. Broadly, this includes individuals who are taking all reasonable steps to leave the UK, or where it is not reasonable for the person to leave. This could be either due to a physical impediment to travel or because they have outstanding representations (fresh claim, judicial review) that are still under consideration. For a fuller explanation of the criteria for s4 see [factsheet 2](#).

Pregnant women and parents with dependent children who receive s4 support are entitled to receive some extra payments. These are very similar to the payments available under s95 support. However, under s4 support there are some additional payments, such as a clothing allowance for children under 16 years, and help with travel costs in certain circumstances.

Those on s4 support do not receive cash. As with s95 support, the weekly allowance (£35.39) is loaded onto the ASPEN card. However, people supported under s4 are not able to withdraw any cash and can only use the card itself to pay for things. Most of the extra payments are added to the ASPEN card, which is topped up on a weekly basis.

To claim the extra payments listed below, it is necessary to complete an application form and send it via Migrant Help. The form and accompanying guidance can be found [here](#).

### Maternity grants

Pregnant women in receipt of s4 support are entitled to claim a maternity grant to the value of £250. They can claim this payment eight weeks before the birth and up to six weeks after the birth. To make a claim women need to complete the

application form above and tick the box 'One-off payment for pregnant/new mothers' and include one of the following:

- An original full birth certificate
- An original MAT B1 certificate (this is provided by the GP or midwife and states the expected date of the baby's birth)
- Some other original, formal evidence of the birth.

### **Extra payments during pregnancy**

For the duration of her pregnancy a woman on s4 support is entitled to receive £3 extra a week. To make a claim, women need to complete the application form above and tick the box 'Additional weekly payments for pregnant women and children' and include an original copy of either the MAT B1 or a letter from her midwife or GP confirming the pregnancy.

### **Extra payments for children under 3**

Parents in receipt of s4 can also claim additional weekly payments of £5 a week for babies under 12 months and £3 a week for children between 1 and 3 years. These payments are in addition to the standard weekly allowance for children. To claim these payments they should complete the application form above and tick the appropriate box under 'Additional weekly payments for pregnant women and children' and include the original birth certificate for the child concerned.

### **Clothing payments for children under 16 years**

Parents in receipt of s4 support can claim a clothing allowance of £5 per week for dependent children under the age of 16 years. These are given in addition to the payments received for children under 3 years. To claim this they need to complete the application form above and tick the box 'Clothing for children'.

### **Assistance with travel costs**

As those in receipt of s4 do not receive cash, they are entitled to help with travel costs under certain circumstances. These include help with travel costs to obtain a child's full birth certificate and the costs of the long birth certificate. To claim for either of these costs, it is necessary to complete the application form above and tick the box 'Birth certificate' and enclose the original note from the hospital or midwife confirming the child's birth.



## Exceptional specific needs

As with s95 support, people supported under s4 support can apply for additional support for an exceptional essential living need. It is necessary to complete the same application form as for the other s4 payments above. Applicants may find it useful to read the guidance on s95 exceptional payments, as the Home Office are likely to apply the same reasoning to applications for exceptional payments made under s4.