

Falling Through the Cracks:

Enabling access to HE for unaccompanied asylum seeker children

An AccessHE Report

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AccessHE is the pan-London network to support social mobility through higher education in London. Part of the regional organisation for higher education providers in London, London Higher, AccessHE works with 25 HEIs and over 300 schools and colleges in the capital.

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Glossary

Adapted from the [Right to Remain glossary^a](https://righttoremain.org.uk/toolkit/glossary.html)

EAL	English as an Additional Language
ESOL	English for Speakers of Other Languages
FEC	Further Education College
HE	Higher Education
HEFCE	Higher Education Funding Council for England
HEI	Higher Education Institution
IAG	Information, Advice, and Guidance
NGO	Non-Governmental Organisation
OFFA	Office for Fair Access
UASC	Unaccompanied Asylum Seeking Child/Children

Appeal rights exhausted. After an application has been refused and there has not been a successful appeal. The Home Office will view the person as having no right to stay in the UK at this point, will encourage them to leave the country, and are likely to detain them and issue removal directions.

Asylum seeker. Someone who has claimed asylum in the UK, but has not yet had a decision on their case. In legal terms, someone is only a ‘refugee’ once their asylum claim has received a positive decision.

Discretionary leave to remain. A time-limited type of leave to remain granted by the Home Office in certain circumstances. For example, in human rights applications on medical grounds, some victims of trafficking, and people excluded from Refugee Status or Humanitarian Protection but who are at risk of being tortured if they were returned to their home country. Before 2013 most UASC were granted DLR, however, in 2013 a new category of **limited leave to remain for UASC** was created.

Fresh claim. A fresh claim is when further evidence is submitted—after an asylum or human rights claim has been refused and any appeals lost. The rule states that the submissions will amount to a fresh claim if they are significantly different from the material that has previously been considered.

Humanitarian protection. Broadly speaking, humanitarian protection may be granted when there is a risk of unlawful killing, some uses of the death penalty, torture and when there is a ‘serious and individual threat to a civilian’s life or person by reason of indiscriminate violence in situations of international or internal armed conflict.’

Indefinite leave to remain (ILR). ILR is leave to remain without any time limit, and is a form of settled status. It is also referred to as ‘permanent residency’ or ‘settlement’. When an asylum claim is recognised,

initially a 5-year refugee status is granted, after which a person can apply for ILR. People with ILR are free to take up employment or study, without restriction.

Leave to remain. Legal permission to stay in the UK, either through a time-limited visa such as a visit visa, student visa or spouse visa, or with settled status such as **Indefinite Leave to Remain**. Leave to remain may also be described as having ‘papers’, or ‘status’.

Limited leave to remain. A time-limited type of leave to remain granted is the applicant is a child who is under the age of 17½ who was refused asylum and humanitarian protection, and are no adequate reception arrangements in the country to which they would be returned. This is also known as ‘UASC leave’ and before 2013, young people in this situation were granted **Discretionary Leave to Remain**.

Refugee. A refugee is someone whose asylum claim has been recognised under the Refugee Convention and who has been granted status (**Leave to Remain**).

Refugee status. Refugee status currently means five years leave to remain in the UK. People with refugee status have the right to work and claim benefits, access to mainstream housing, and the possibility of applying for family reunion and a travel document. After five years, they can apply for ILR, and after a year of ILR they can apply for British citizenship.

Unaccompanied Asylum Seeking Child. A UASC is defined as a young person under the age of 18 making an application for asylum in his or her own right and who has no adult relative or guardian to turn to in this country.

Virtual school. A virtual school is a service provided by the local authority whose work is to promote and co-ordinate educational support for Looked After Children and Care Leavers to succeed at nursery, school, college and university; wherever their place of learning.

a. Can be accessed at: righttoremain.org.uk/toolkit/glossary.html

Executive summary

More than 3,000 unaccompanied children claimed asylum in the UK in 2015. In the majority of cases, these young people are given a temporary permit to stay in the country, and as 'Children in Need', they fall under the care of local authorities. Looked after children generally have low attainment and progress to HE at low rates. Unaccompanied asylum seeking children on the other hand have attainment that is on a par with the wider population. However, it is not clear at what rates they enter HE, and which challenges they face to do so. The experiences of unaccompanied asylum seeking children are normally grouped together with those of refugees, or with asylum seekers who came to the UK with their families. The experience of unaccompanied asylum seeking children is likely to be distinct from those groups, because their immigration status is less secure and in addition they have to navigate the care system.

This research is a mixed-methods study that draws on the views and experiences of unaccompanied asylum seeking children in HE, local authorities, third sector organisations, the Office for Fair Access, and HEIs. We identified three main barriers to UASC progressing to HE:

Barrier 1: Immigration status and the cost of HE

Asylum seekers are classed as international students and are not eligible for student finance. Therefore, HE is prohibitively expensive. The asylum process often takes years, and less than 7% of UASC coming to the UK fall into the new long residence category which would give them access to student support and fee status. This means that large numbers of UASC are still excluded from HE each year.

Barrier 2: A lack of knowledge of immigration status and HE in schools

Local authorities and students identified that there is a lack of knowledge about immigration status and HE in schools. Schools may therefore not be able to give UASC accurate advice on the financial implications of going into HE for UASC.

Barrier 3: Gaps in formal education

Interruptions in education either in the country of origin, or once arrived in the UK, mean that UASC do not always achieve the grades required for progressing onto HE.

We found that local authorities and HEIs provide some support to UASC progressing into HE. However, more can and should be done to support UASC. They risk becoming an ignored minority in the access to HE landscape unless action is taken urgently. We found there to be shortcomings in the following five areas:

Support is not targeted at UASC

Currently UASC are only supported as part of other, more general widening access programmes. The majority of UASC do not fall within OFFA's remit, and only a single HEI in England refers specifically to UASC in their access agreement. This overlooks some of the specific needs of UASC.

Little knowledge about the needs of UASC

There is too little knowledge about the needs of UASC in HEIs. A large proportion of those who provide UASC with IAG before applying, did not know what kind of financial support and fee waivers were available to UASC at their institution.

No financial support

Very little financial support is available for UASC. Only a third of HEIs currently waive fees for UASC or classify them as home students. One in five HEIs provide additional financial support to UASC.

Lack of collaboration across sectors

All local authorities currently collaborate with HEIs in general. However, few respondents worked together with HEIs specifically to support those UASC to progress to HE, for example by identifying barriers.

No housing support

UASC students felt insecure about their housing situation. Currently, little help is available for students with the costs of accommodation during their studies, and finding accommodation after graduation.

Recommendations

For HEIs:

- **Target outreach activities to engage UASC with HE.** Such activities should include clear IAG on immigration status, finances, and support offered by institutions to UASC and additional academic support for UASC to raise attainment. Such outreach should be done in collaboration with HEIs in the region, and regional networks, such as AccessHE.
- **Ensure a member of staff has expert knowledge on the needs of UASC.** This member of staff would be a first point of contact for students, a source of information for other staff, and would raise awareness about the needs of UASC across the institution.
- **Introduce fee waivers and bursaries for UASC.** HEIs can join campaigns such as the 'Equal Access Pledge'¹ or the Article 26 scheme². Additional smaller grants for field trips, summer schools, or the hire of graduation gowns would help UASC to take part in student life fully.
- **Provide additional support with accommodation.** Students living in university halls of residence should be given the option to pay the accommodation fees in monthly instalments. Moreover, HEIs should consider offering an accommodation fee waiver over part of (e.g. summer holidays) or the entire year. HEIs should also liaise with the care leavers team in the local authority about accommodation after graduation.

For local authorities:

- **Strengthen existing links with FECs and HEIs.** This would help with identifying barriers for UASC going into further or HE, and finding solutions to these barriers.
- **Collaborate with other local authorities.** The local authority in which the young person has been cared for, and the local authority in which the HEI is based, should collaborate to minimise disruption in housing provision for UASC attending HE.
- **Support adequate provision of education.** Support needs to be adequate both during secondary school age and post-16, to ensure that UASC do not experience interruptions in their education in addition to those they may have experienced in their home countries.

For schools:

- **Provide staff with training on supporting UASC accessing HE.** Specifically, staff should be made aware of how immigration status affects tuition fees and eligibility for student finance, and the options that are available to UASC.
- **Adopt a proactive approach to providing IAG on HE to UASC.** This can be done by making contact with these learners that is appropriately sensitive and in which options for going into HE are highlighted.

For government:

- **Amend OFFA's legal remit to include all UASC.** UASC should fall within their remit irrespective of how long they have lived in England.

For HEFCE

- **Provide National Collaborative Outreach Programme (NCOP) consortia with information on UASC.** This would ensure that consortia that have UASC in their target wards can tailor (part of) their activities to the specific needs of UASC.

1. See: star-network.org.uk/index.php/campaigns/equal_access

2. See: article26.hkf.org.uk

1. Background

1.1 Who are Unaccompanied Asylum Seeking Children?

In 2015 over 3,000 unaccompanied children applied for asylum in the United Kingdom¹. The vast majority (88%) of these children arrived in the UK in their mid to late teens¹, a time when preparing and planning for the transition to adulthood is key. An Unaccompanied Asylum Seeking Child (UASC) is defined as: *'a young person under the age of 18 making an application for asylum in his or her own right and who has no adult relative or guardian to turn to in this country'*². UASC

are 'children first and foremost'³, and are supported under the Children Act as 'Children in Need' and therefore fall under the care of local authorities⁴. They account for around 10% of all children in care in the UK⁵. These young people also face special circumstances because, apart from being looked after, they are also seeking asylum⁶. These special circumstances, such as their immigration status, are likely to present distinct challenges for entering higher education (HE).

1.2 UASC and progression to HE

To date, very little research has been done to identify the challenges UASC face accessing HE⁷. Research usually focuses on UASC and refugees as a homogenous group. This type of research has shown that education is a central aspiration for refugee and asylum seeking young people⁸⁻¹⁰, that is seen as a way to gain qualifications and progress to HE, as well as a way to integrate into the new community and make friends¹⁰. High levels of motivation to do well and improve their lives means that UASC have relatively high attainment compared to looked after children of UK origin¹¹. Children in care overall have very low attainment; in 2014, 14% of children in care got five or more A*-C grades in their GCSEs compared to 55% of the general population¹². **The grades of UASC on the other hand were almost on a par with the general population, with UASC on average achieving just half a grade lower¹¹. There is also some indication that asylum seeking and refugee young people are more likely to continue education than looked-after children who are citizens^{5,13}.**

In terms of the factors that impact on progressing to HE, again, much of the research treats UASC and refugees as a single group. Such research has found that the main barriers to accessing HE include confusion about tuition fees and immigration status^{9,14}, lack of encouragement and support^{9,14}, poverty¹⁰, having no evidence or recognition of previous qualifications¹⁵, and having experienced trauma and an interrupted education¹⁴. However, UASC are likely to face distinct challenges from refugees because of their less secure immigration status. Unlike refugees, asylum seekers are classed as international students and are not eligible for student finance (see section 1.4 Immigration status and access to HE). These young people are therefore effectively locked out of accessing HE because the costs are prohibitively high. Moreover, young asylum seekers are less likely to be granted refugee status whilst they are underage. Children's asylum applications receive less consideration than those of adults as workers know that even if a child's application is refused, that child will be granted a period of discretionary leave¹⁶. In 2015, just one in four UASC

was granted refugee status or humanitarian protection¹, whereas over half of UASC (54%) were granted UASC leave or discretionary leave to remain (DLR). Therefore, there are large numbers of young people who cannot enter HE because of the costs of HE.

In the last year, some improvements have been made for UASC accessing HE. Following a ruling by the Supreme Court in 2015, the government created a new 'long residence' category in the student finance application, which means that young people who have lived in England for a substantial period of their life may be eligible for student finance and home fees in England¹⁷. Additionally, an increasing number of HE institutions (HEIs) use their discretion to classify asylum seekers as home students, and some offer bursaries for asylum seekers¹⁸. Although these are important steps towards providing fair access for UASC, it is not clear to what extent these initiatives have removed barriers to accessing HE. As this legislation came into force in June 2016, knowledge about the changed criteria may not yet be widespread amongst those supporting UASC. Moreover, the long residence category will not apply to all UASC. HEIs are not able to claim funding from Higher Education Funding Council for England (HEFCE) for international students, and therefore they are effectively making a financial loss when they charge asylum seekers home fees¹⁴. HEIs thus often only provide a handful of fee-waivers or bursaries each year, and the numbers of asylum seekers applying outnumbers the support available.

The issue of supporting access for UASC is particularly important for HEIs in the London region. Most London boroughs have 11-50 UASC on average¹⁹; a similar number to County Councils, but concentrated in a smaller area. Moreover, some London boroughs, such as Hillingdon, Hounslow, and Croydon, have much higher numbers of UASC¹⁹, because of the presence of Heathrow and an asylum screening unit. London also has borders with Kent and Surrey, two local authorities with a high number of UASC¹⁹.

1.3 The asylum process

A person is an asylum seeker if they have submitted a formal asylum application and is awaiting a decision from the Home Office. There are five possible outcomes for a young person claiming asylum²⁰;

- a) Asylum is granted (i.e. refugee status), usually for five years
- b) Asylum is refused but humanitarian protection is granted
- c) Asylum and humanitarian protection are refused but limited leave to remain is granted
- d) Asylum and humanitarian protection are refused but discretionary leave to remain is granted
- e) Asylum and any leave to remain are refused

Asylum (a) and humanitarian protection (b) are more secure types of leave than limited (c) or discretionary (d) leave to remain, and the latter two are only granted after claims for asylum or humanitarian protection have been refused²¹. Limited and discretionary leave to remain are similar; limited leave is however granted only to those under the age of 17½, and is given when there are inadequate arrangements in place in the country to which they would be returned^{21,22}. Over half of asylum seeking children who are unaccompanied are granted limited leave to remain¹, which lasts

for 30 months or until the young person turns 17½, whichever is sooner²¹. Just one in every four UASC is granted refugee status or humanitarian protection¹.

UASC are supported by the local authorities until the age of 18 as looked after children. Depending on their age, UASC will be placed in foster care or supervised accommodation²³. If the young person was granted refugee status when they first applied, they will keep that status when they turn 18²². However, the majority of UASC face a change in immigration status as they approach 18 as they were initially given limited leave to remain¹. Expiration of their limited leave to remain affects both their ability to remain in the UK and any benefits they receive. A young person can apply for an extension of limited leave to remain prior to the expiration, and if granted, can remain in the UK for another finite period with full entitlements²². If their request for extended leave is denied, the young person is 'appeal rights exhausted', and has no legal right to stay in the UK²².

For young people who have been granted refugee status, after five years they can apply for 'settlement' or indefinite leave to remain (ILR). People with ILR are not restricted in employment or study.

1.4 Immigration status and access to HE

Immigration status affects an individual's categorisation as a student, and consequently the type of fees they pay, as well as their eligibility for student finance. Immigration status also affects their permission to work. The type of fees, access to student finance and ability to work for each type of immigration status are outlined in Table 1.

Table 1: Immigration status and associated entitlements and restrictions.

Immigration status	Classed as 'home' student	Eligible for student finance	Permission to work
Refugee status	✓	✓	✓
Asylum seeker	✗ (international fees)	✗	✗ (can apply after 1 year)
Asylum seeker in long residence category	✓	✓	✓
Humanitarian protection	✓	✓ (after 3 years residence)	✓
Indefinite leave to remain	✓ (after 3 years residence)	✓ (after 3 years residence)	✓
Limited leave to remain or discretionary leave to remain	✗ (international fees)	✗	✗

2. About the research

This report sets out to identify the barriers that UASC may face accessing HE, and how much is being done to address these barriers. Specifically, we address the following questions:

- What are the experiences of UASC accessing HE?
- What are the barriers for UASC accessing HE?
- What support do local authorities, third sector organisations, and HEIs currently provide to UASC accessing HE?
- How can HEIs improve their support for UASC accessing and progressing through HE?

Although this report is based on a preliminary study, these initial results will allow us to make some recommendations for HEIs in order to improve the progression into HE for this vulnerable group of young people.

The report draws together views from students, local authorities, third sector organisations, Office for Fair Access (OFFA), and HEIs. Data were collected through focus groups and questionnaires.

2.1 Focus groups

We held two focus groups with students at two AccessHE member HEIs. One of these HEIs offers asylum seekers a tuition fee waiver and a maintenance grant. The other HEI offers no such provision. Consequently, we talked both to students who had been granted refugee status before starting their course, and who thus are classed as 'home' students, as well as those who are still seeking asylum and are in receipt of a bursary.

A total of six students took part in these in-depth discussions, however, two of these students arrived in the UK with their parents. Whilst these students are asylum seekers, they are not unaccompanied. Therefore, their accounts were omitted from section 3.1 (The experiences of UASC accessing HE). However, we felt that these students still had important contributions to make to the remainder of the sections on barriers, current support, and future support, as they have experience of these as asylum seekers.

Because the UASC we spoke to were all current students, this report reflects the views of those young people who were able to overcome any barriers to HE. In other words, we are missing the views of UASC for whom the barriers to accessing HE were insurmountable.

Due to the small sample, we are not able to make generalisations to the wider group of asylum seekers that have arrived in the UK without parents or guardians. Nevertheless, the experiences of UASC described here serve to illustrate the difficulties UASC may face accessing HE.

The names used in this report are not the students' real names.

2.2 Questionnaires

We sent out three questionnaires to AccessHE member HEIs, local authorities, and third sector organisations working with UASC. A total of 14 HEIs, 23 local authorities, and two third sector organisations took part in the surveys.

The HEIs included nine multi-faculty institutions and five smaller specialists. Thirteen of the HEIs were London institutions; one was an English institution outside London. This sample is well balanced, and should give a good indication of the work London HEIs are undertaking to support access to HE for UASC.

The vast majority of responses to the local authority survey were from Virtual Schools (78%), the remainder were schools (9%), and other sectors in the local authority (13%), such as social workers.

Respondents came from 9 London Borough, and 11 County Councils across the country. For the majority of these respondents (77%) supporting the education of children in care was their specific focus of work. Smaller proportions (9%) worked to support children in care more generally, and young people's education more generally (5%).

Unfortunately, we only received responses to our third sector questionnaire from two organisations. Therefore, the views of the third sector were considered together with those of the local authorities wherever possible. The respondents to the third sector questionnaire were both London based organisations that work with refugees and asylum seekers.

3. Findings

3.1 The experiences of UASC accessing HE

Ernest - "At times I felt like giving up because you just don't know what's going to happen"

Ernest arrived in the UK when he was of school age, and he has had the majority of his education in the UK. For Ernest, university is a way to build a successful future for himself, either by getting a good job or by starting up his own business.

Ernest applied for asylum, but did not get a Home Office decision for years. It was when he was doing his A-levels that he first started to worry about his status, what would happen when he turned 18, and if he would be able to go to university. The most difficult part for Ernest was the uncertainty about his future in the UK that lasted for years, just at the time when he was trying to build a foundation.

"It is five years of not knowing. You're going to college and there is part of you working hard to get all these good A-levels. But at the end of the day, it might just be a no. The not knowing, that I found hard."

Ernest knew that he would not be able to attend university unless he was granted leave to remain. When he finished his A-levels and still had not heard from the Home Office, he was left in limbo:

"After I finished my college is when it really started to affect me. Because I couldn't apply to university and I didn't have the right to work either. So, it's like, what am I doing? I can't work, I can't study. I'm just sitting here doing nothing. That could get really stressful at times and I used to get anxiety from it."

By this time, his application had been with the Home Office for five years. Ernest decided to contact his MP about his situation. His MP intervened and it came to light that the Home Office had filed away his application in error, and therefore it had not been processed. Ernest was granted refugee status, and started his degree the following year.

Ernest is now in the third year of a degree in Business and Marketing at his university of first choice.

Arman - "To get to uni you need that status"

Arman comes from a family of traders. He always wanted to join the family business, and become an international trader. For Arman, university education is an important stepping-stone to such a career, because of the opportunities it provides and the contacts you make. Arman arrived in the UK as a teenager. Initially, he did several years of an ESOL course before he could take A-levels. During his time at college, Arman was also applying for asylum in the UK. It was a particularly stressful time because in addition to having to attend court interviews, he was worrying about what would happen when he turned 18, and whether he would be able to go to university.

"You need that key to get to uni. So, you're always worried about what's going to happen. What if you don't get your status? Because you start building up your life, and then if you don't get that key..."

Arman was granted asylum and was also offered a place at his preferred university. However, going through the asylum process and A-level simultaneously had taken its toll on Arman. Rather than take up his place at university immediately, he decided to defer. Arman hoped this break would allow him to really focus on his degree once his course started.

Arman is now in the second year of a degree in International Business, and is looking forward to starting his own business in the future.

Farouk - “I wanted to come to university but there was a block”

Farouk came to the UK when he was of school age, and was granted DLR. He was brought up in a family where education was very important, and although his family was not with him in the UK, he felt a push to do well in his education from back home. Initially, he did an ESOL course, followed by GCSEs and A-levels. Whilst doing his A-levels he applied for an extension to his DLR, and started thinking about his future. Farouk’s dream was to be an aerospace engineer. He applied to several universities offering courses in aerospace engineering, despite the fact that he knew he would not be eligible for student finance because of his immigration status. Farouk was offered places at several universities, but was not able to accept any of the places because he was not eligible for student finance. Instead, Farouk started an apprenticeship with a telecoms company. Farouk still wanted to progress his career and was aided by a supportive social worker who identified a fee-waiver and bursary scheme at a HEI. Farouk was awarded a bursary and started his degree soon after.

Farouk is now in the third year of a degree in Software Engineering. His immigration status has still not been settled; he currently has exhausted all right to appeal, and is making a fresh asylum claim.

Sang - “When I first arrived in this country, I didn’t think I would make it this far”

When Sang first arrived in the UK at 14, he spoke very little English. Because of this language barrier and gaps in his formal education, Sang worried that he would not do well in school. However, after two years of encouragement by his foster carer, improvements in his English, and gaining GCSEs, Sang started to consider going to university as a way to build a future for himself.

“I wanted to make something of myself. That’s why I just want to go to university.”

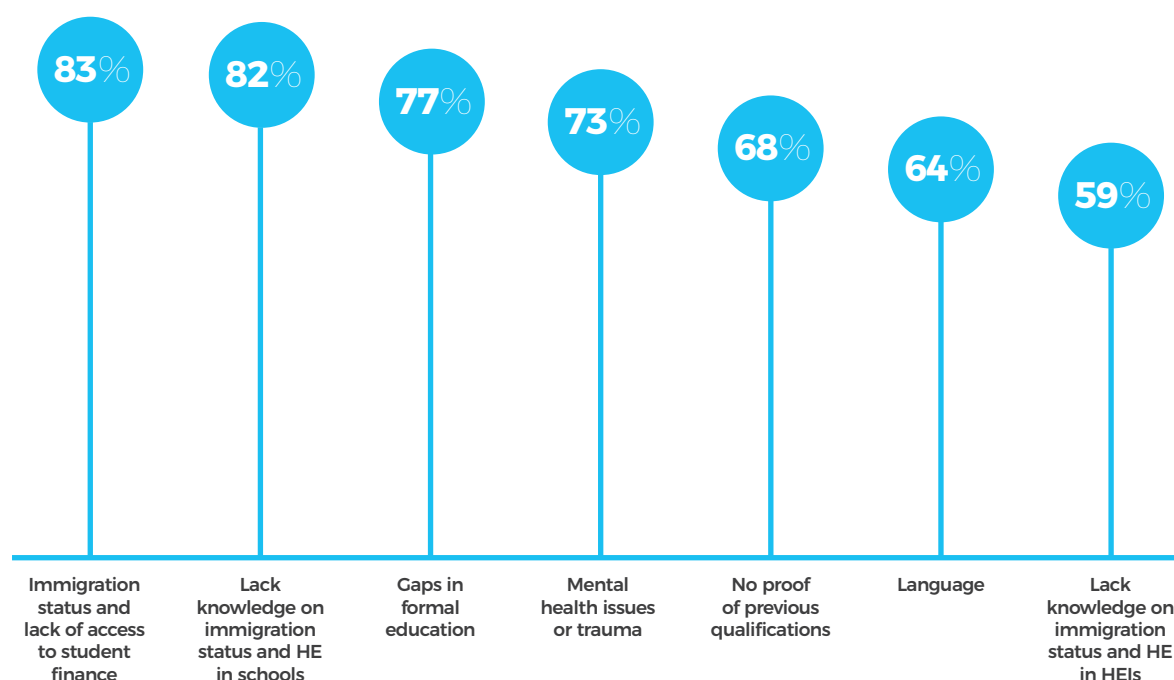
As Sang has always been good with numbers, and enjoyed doing maths and statistics at GCSE, he wanted to study Mathematics and Statistics at university. However, Sang thought he would not be able to go to university because he was still waiting for a decision on his application for asylum. Sang found out from his social worker that the local authority he was placed in would pay for him to go to university. He applied for courses at five different universities, and chose the one he’s currently studying at because it is local to his foster carer. After he accepted the offer at the HEI, he found out about the fee-waiver and bursary the university offers to asylum seekers. He applied to the scheme, and was awarded a place, which mean his local authority does not have to pay his fees.

Sang is now on a foundation year course, studying Mathematics and Statistics. He is still waiting on a decision by the Home Office, who have had his application for over 3½ years.

3.2 The barriers to UASC accessing HE

We asked local authorities, third sector organisations, and students who are asylum seekers or refugees about what they perceived to be the barriers that prevent UASC from accessing HE. Local authorities and third sector organisations identified a number of barriers to UASC accessing HE (Figure 1). We explore the three leading barriers in more detail.

Figure 1: Proportion of local authorities and charities that identified certain barriers.



3.2.1 Barrier 1: Immigration status and the cost of HE

A third indicated that this is the barrier that should be tackled first and this was identified by the students as the major issue they faced. For young people who have applied for asylum and are waiting for a decision, this process can take years. Such insecurity is stressful and is likely to influence the motivation to do well at A-levels.

“When I first came I was 14 years old. I was really naïve. My foster carer said ‘you’ve got to study hard and you can go to uni’. I was like ‘I’m not going to make it. No, I don’t want to study hard.’” Sang

“You do good in your A-levels and they are like ‘Oh, you can’t go to university.’ So what was the whole point of me studying so much and wanting to do something with my life?” Rashmi - first year undergraduate student Business Management with Business Experience and asylum seeker

For young people who have been granted DLR or LLR, from August 2017 some will be able to access student finance under the new ‘long residence’ category²⁴. Under this legislation, those who are under the age of 18 qualify if they have been resident in the UK throughout the seven years preceding the first day of the course. Those older than 18 qualify if they have been resident in the UK half their life or for 20 years preceding the first day of the course. **In reality this means that UASC should have been resident in the UK since they were about nine or ten years old.** Home Office statistics show that in 2015 only 7% of asylum claims made by unaccompanied children were by a child under the age of 14¹. The vast majority of UASC (86%) are aged 14-17¹. The ‘long residence’ therefore applies to fewer than 228 young people each year, out of over 3,000 asylum claims made by UASC. This means that still a large number of young people are excluded from HE.

3.2.2 Barrier 2: Lack of knowledge of immigration status and HE in schools.

Overall, 82% of local authorities and third sector organisation suggested that because of this schools may not be able to advise UASC accurately. The students also flagged this up; they found their teachers to be not particularly helpful in giving advice about how immigration status would affect their progression into HE. Some students described being passed from one teacher to another, and suspected that the teachers themselves did not have the correct information. Thus, providing better information for teachers about immigration status, student finance, and the support available to asylum seekers at university, could be an important step in widening access for UASC. This is especially important because students said that they had been reluctant to talk about being an asylum seeker when they were at school, out of fear of being judged and treated differently.

"I didn't tell anybody, not even my friends. It's just something they wouldn't understand. My friends sometimes talk about this kind of stuff and they laugh about it. This is why I didn't go and tell them."

Darvesh - first year undergraduate student in Pharmaceutical Science and asylum seeker

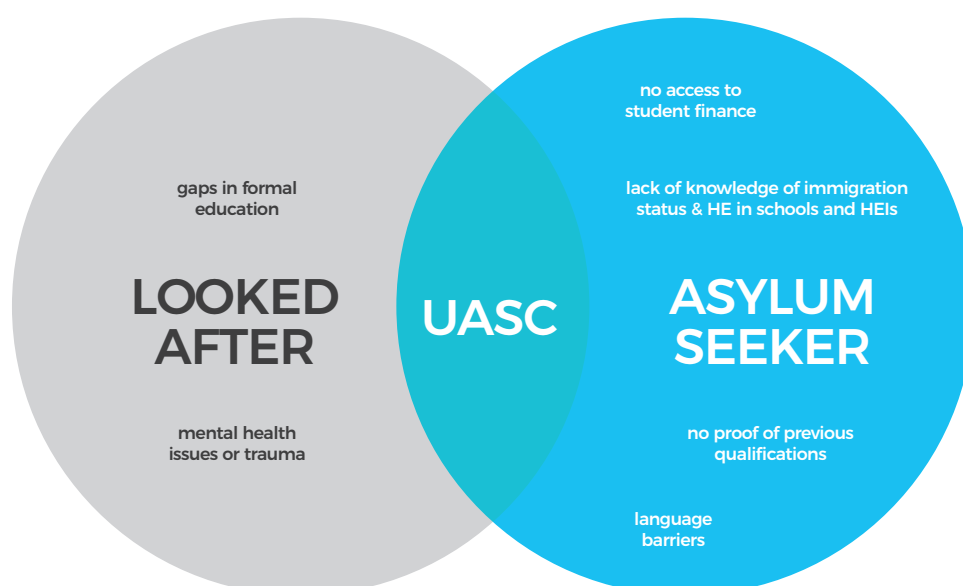
It is therefore important that schools are proactive in providing UASC with support for progression in to HE.

3.2.3 Barrier 3: Gaps in formal education

Young people may have had little formal education in their home country or have experienced significant interruptions. However, UASC also experience interruptions to their education once they have arrived in the UK. Large number of asylum seeking children of compulsory school age, are not in education because there are no places available or schools are reluctant to take them on¹⁴. For example, the Refugee Council reported that in 2001 there were 2,100 refugee and asylum seeking children of compulsory school age in London who were not in education²⁵. Similarly, UASC may not receive the post-16 education they are entitled to, because providers are unsure about their entitlements and often do not have adequate mechanisms in place to support them¹⁰.

The barriers outlined above are not unique to UASC. Issues around immigration status, access to student finance, knowledge of this in schools and HEIs, lack of proof of qualifications, and language barriers affect all asylum seeker children, whether they are accompanied or not. Likewise, gaps in formal education, and mental health issues may affect all children that are looked after. Most HEIs have support structures in place that deal with these barriers faced by looked after children and asylum seekers. What is crucially different about UASC is that they face the barriers that asylum seekers face and the barriers that come with not having the support of a family *simultaneously* (Figure 2). HEIs should therefore consider UASC as a separate widening participation target group, and provide them with additional support.

Figure 2: UASC face two sets of barriers simultaneously.



3.3 The current support for UASC

3.3.1 Local authorities

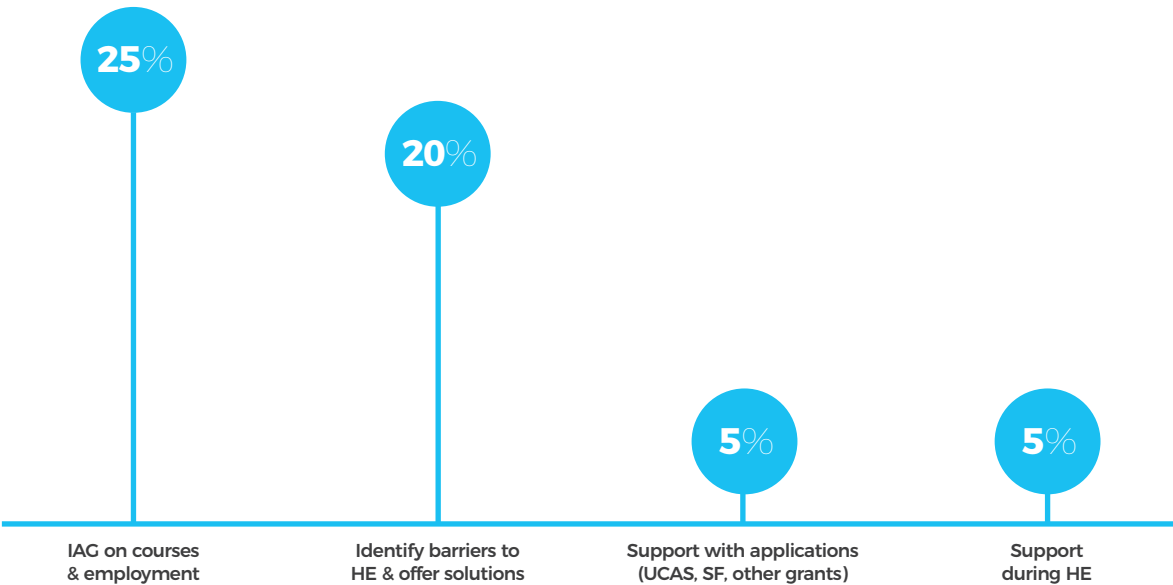
Twenty of the local authority staff that responded to our survey work with UASC directly, totalling more than 1500 UASC each year. For the vast majority (86%) UASC fell under the broader group of looked after children.

Eighty per cent of local authority respondents provided educational support to UASC. Such support usually includes finding appropriate education provision, monitoring the engagement and progress of UASC through personal education plans (PEP), assessing educational needs, and releasing pupil premium grants to schools, who can provide extra support such as classes in English as an additional language. Some local authorities also commissioned ESOL tuition, or organise activities to enrich and raise attainment.

All of the local authority respondents that worked with UASC provided them with support for going into HE. However, when asked to describe the types of support given, just a quarter of respondents indicated they gave UASC IAG on courses, apprenticeships, and employment (Figure 3). One-fifth of respondents

supported the progression of UASC into higher education by identifying barriers and providing solutions, and only a single respondent said they supported UASC with their applications (i.e. UCAS, student finance, other financial support) and continued support whilst they were in HE. It is important to note here that this was not a systematic review of the activities of local authorities, and that therefore absence of evidence for a type of support does not mean that kind of support is not provided by the respondent, or by someone else within their local authority. Nevertheless, the results presented are somewhat concerning. We suggest a further systematic review of the activities of various local authority services is undertaken to get a better understanding of the support that is available to UASC.

Figure 3: Proportion of local authorities who indicated activities related to accessing HE.



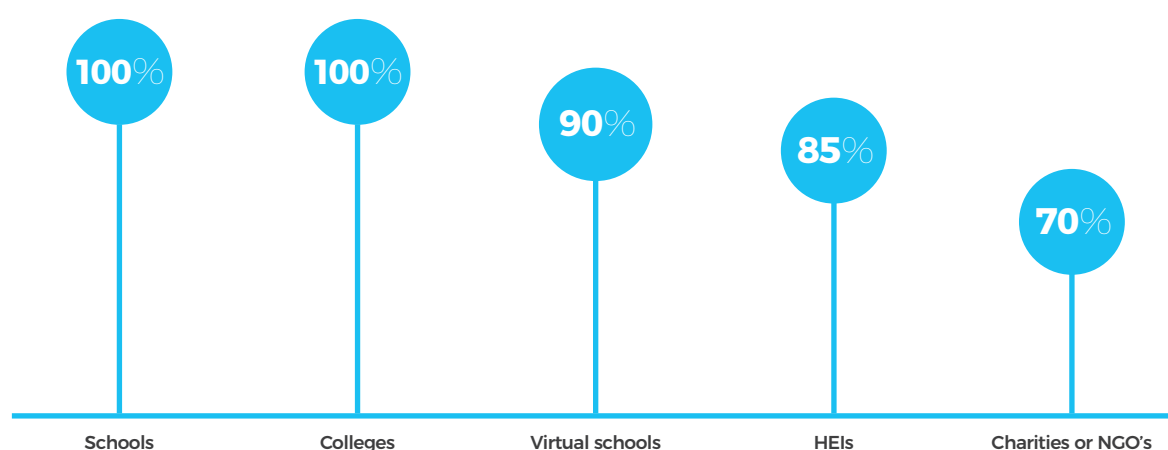
On the other hand, the UASC we spoke to generally felt well supported by the local authorities in accessing HE. UASC said they had received excellent support from local authorities, including social services, social workers, and foster carers, because ‘they are like our parents’. Nevertheless, one student thought that support might be patchy; Farouk felt that it was the luck of the draw if you got a social worker that was willing to ‘fight’ for you:

“My social worker was really fighting for me to be here, but then her manager and colleagues were like ‘Why does he have to go [to university]’? Because they have to do a bit of extra funding and stuff. If you can’t support me, at least don’t block my way.” Farouk

He felt that for some, such support to access HE might not be readily available, and that this depended on individual social workers.

In general, local authorities were well connected to other types of organisations. All local authorities had links with schools and colleges and the majority also worked together with virtual schools, HEIs, and third sector organisations (Figure 4). However, these links are not always utilised to support UASC. For example, only one fifth liaised with them specifically to identify barriers to HE and offer solutions (Figure 3). Therefore this presents an excellent opportunity to increase support for UASC by strengthening existing links.

Figure 4: Proportion of local authorities that have links with other organisations.



3.3.2 Third sector organisations

Due to the low response rate from the third sector, we are unable to give an overview of the kind of support that is available to UASC through organisations in this sector. Nevertheless, the students we spoke to felt that there was a lot of support available to young people in their situation, and they generally felt well supported. The majority of UASC we spoke to had been helped by several organisations in getting to university. These organisations are listed in Appendix 1, and give an indication of the kind of support that is available.

The students also suggested, however, that the reason that they received this support was because they sought it out themselves. They thought that this support may not reach all young people in their situation. Better promotion of the support available would help ensure that all UASC can access these services, and ultimately progress to HE.

3.3.3 OFFA

UASC are not a group that OFFA has focused on in the past, because access agreements only cover home and EU students. Because asylum seekers are classed as international students, most UASC fall outside of OFFA's remit, the only exception being asylum seekers in the long residence category who are classed as home students. This is reflected in the widening participation focus of HEIs; only one institution refers specifically to UASC in the 2017-18 access agreements.

UASC fall under several disadvantaged groups that are included in OFFA's target groups, such as care leavers or refugees. There have been encouraging signs over the past year of an increase in commitment to widening access for refugees. Following the inclusion of refugees as a target group on OFFA's guidance for 2017-18 access agreements, there has been a substantial increase in the number of HEIs who reference 'asylum' or 'refugee' in their access agreement (Table 2). In the 2016-17 agreements, 10% of HEIs referred to activities to support asylum seekers or refugees; in the 2017-18 agreements, this increased to 18%. OFFA reports that the support for asylum seekers and refugees that HEIs highlighted in access agreements includes financial support such as fee waivers or bursaries, and targeted outreach, retention and progression support. Several institutions work with partner organisations such as Article 26 to support these groups.

Although the increasing support for asylum seekers and refugees is encouraging, this research has shown that the needs of UASC are somewhat distinct, in that they face barriers of being an asylum seeker and being in care simultaneously. We therefore should consider UASC as a separate widening participation target group, and provide them with tailored support. In the past OFFA has advised that there is scope for institutions to report on work they are doing to support UASC as part of their access agreements and has allowed institutions to include a small proportion of their access agreement expenditure on these students.

OFFA further indicated that they are interested in supporting the sector's understanding of UASC, and supporting access to HE for this group.

3.3.4 HEIs

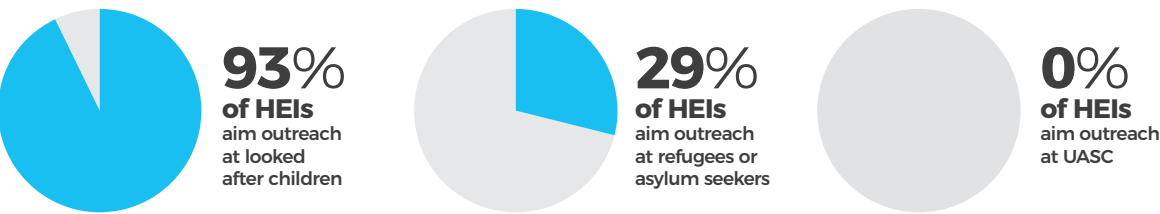
3.3.4.1 Support before applying

The vast majority of HEIs organised outreach activities, such as summer schools, taster days, or mentoring, to widen access for looked after children (Figure 5). Less than one-third of HEIs organised such activities aimed at refugees or asylum seekers. However, none aimed these activities specifically at UASC. Nevertheless, in 43% of HEIs, UASC would be part of the interventions for looked after children. One of the specialist HEIs is in the process of planning workshops aimed at UASC specifically.

Table 2: Proportion of access agreements referencing 'asylum' and/or 'refugee'.

	2016-17	2017-18
Total number of access agreements	183	198
Number of access agreements referencing 'asylum' and/or 'refugee'	18	36
Proportion of access agreements referencing 'asylum' and/or 'refugee'	10%	18%

Figure 5: Proportions of HEIs targeting outreach activities at different groups.

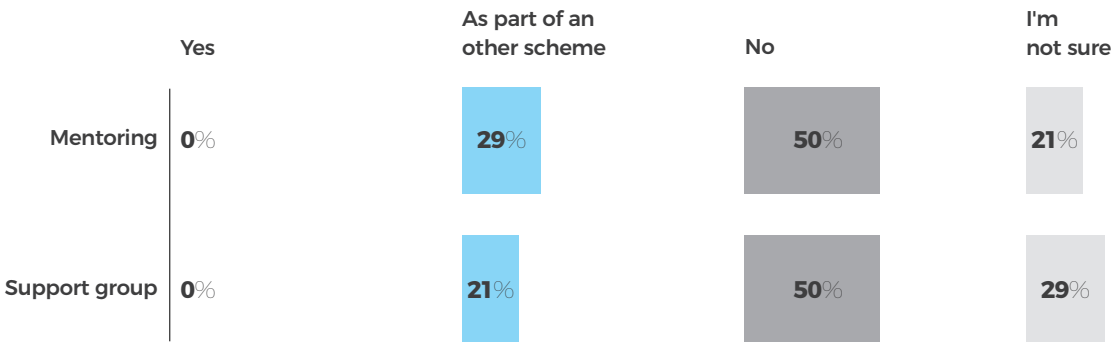


None of the HEIs provided IAG specifically aimed at UASC, but 57% did this as part of another scheme. Of those HEIs that give IAG, 38% did not know if their HEI offered a bursary or scholarship to UASC. The same proportion was not sure if their HEI offered a discount on accommodation fees. One in four HEIs who give IAG to UASC did not know if they had a scheme in which UASC were charged home fees instead of international fees, or in which fees were waived altogether.

3.3.4.2 Support as a student
None of the HEIs had mentoring or support groups that were specifically aimed at UASC, however, they may be provisioned to some extent under different schemes, such as a care leavers programme (Figure 6). Half of HEIs did not provide this kind of support to UASC in any way.

Figure 6: Proportion of HEIs that provide specific activities to support UASC students.

What support does your HEIs provide to UASC during their degree?

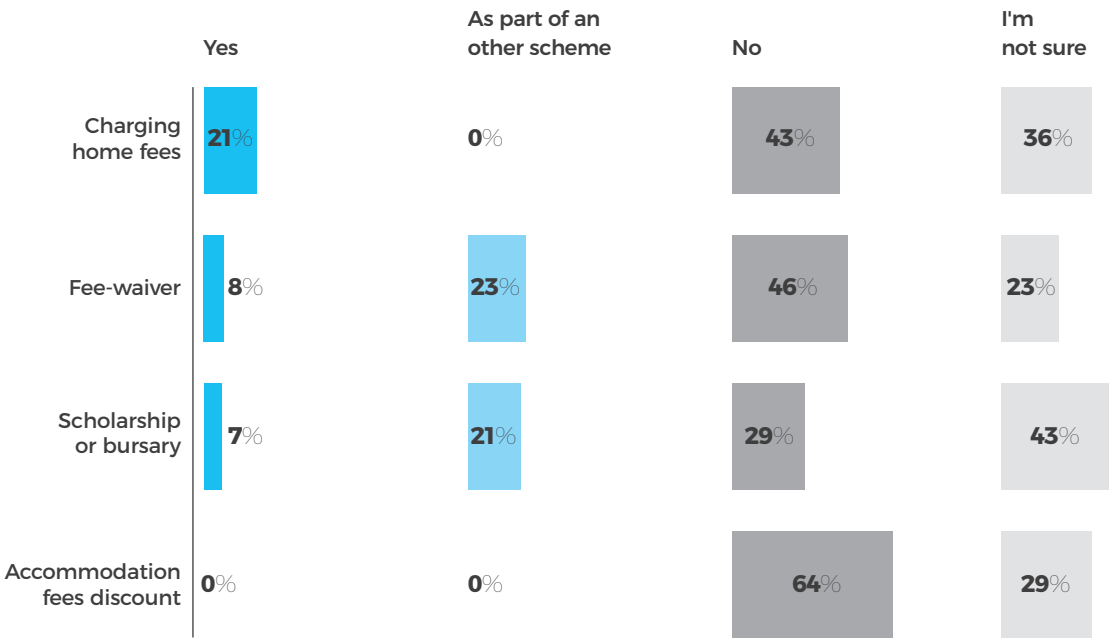


Many HEIs did not provide any financial support to UASC (Figure 7). Less than a third of HEIs provided UASC with financial support by charging home fees, waiving fees or by providing a bursary. Most of

this support was given through general schemes, although some HEIs provided financial support that was aimed at UASC specifically. A reduction in accommodation fees was offered by none of the HEIs.

Figure 7: Activities by HEIs that support UASC students financially.

What financial support does your HEI provide to UASC?



3.4 How can HEIs improve the support for UASC?

We asked students, local authorities and third sector organisations how HEIs can improve their support for UASC accessing HE.

3.4.1 Help with fees and additional financial support

The main barrier identified earlier was immigration status and how it affects eligibility for student finance. HEIs are able to address this barrier by waiving tuition fees. Students thought this would be a good starting point for UASC to realise their ambitions:

“If we can find a way that they could go to uni without having the status, I don’t know if that would be possible, it will be a dream come true for a lot of unaccompanieds that are ready to go to university.” Arman

Likewise, charities and local authorities said that fee waivers or scholarships would be an important first step in improving access to HE for some of the most vulnerable people in our society:

“If all the HEIs in AccessHE’s network improved access for UASC and asylum seekers through fee waivers or scholarships, that would be a huge improvement in the opportunities for these young people.” Charity working with young asylum seekers

HEIs can, for example, adopt the Equal Access pledge¹, or sign up to provide Article 26² bursaries, to provide such access to UASC and asylum seekers. Over 40 universities nationally have already done this. Currently only a third of AccessHE members supports asylum seekers in this way, either through fee waivers (6 HEIs) or by charging home fees (2 HEIs). Nevertheless, the proportion is similar to the proportion of HEIs across the country offering such support. Moreover, only one in five members (20%) provide additional financial support to asylum seekers.

Students felt that such bursaries or grants would really help others in this situation, because they cannot rely on family to help with additional costs.

“If you compare the situation that we have to go through, compared to your average student who goes home on the weekend, mum cooks for the week, gets pocket money. We don’t have that. There is no home to go to. But they give you the same amount of money.” Ernest

Additional financial support could also include smaller initiatives, such as grants for the rental of graduation gowns, which was offered at one of the HEIs. If grants are open to the entire student body, students suggested that HEIs make some adjustment to criteria to take into account the difficulties UASC have faced and continue to face, which puts them at a disadvantage.

“They try to compare us with normal students, but the two didn’t have the same starting point. For us, you’ve got to think about your status, what you are going to eat, where you’re staying, your future, and all the stresses that perhaps affect your academic performance. So for you to achieve the same level is quite hard, and therefore you suffer.” Ernest

Such adjustments would mean UASC are no longer locked out of opportunities HEIs currently offer.

3.4.2 Target outreach activities at UASC and collaborate with regional HEIs

HEIs can improve support by collaborating with HEIs across the region to deliver outreach activities specifically aimed at UASC. One in four local authorities (26%) felt that HEIs could improve their support by organising outreach activities specifically aimed at UASC. Currently, much of the outreach to UASC falls to those HEIs who happen to have a high number of UASC in their local population because of their geographical location. HEIs instead should consider taking collective responsibility for widening access for UASC, and work collaboratively.

3.4.3 Improve staff knowledge on the needs of UASC

HEIs can also improve the support for UASC by giving their staff training on the needs of UASC before applying and as students.

Before students apply to university, these needs focus around understanding immigration status and how it impacts on the costs of studying. More than a third (37%) of local authorities said that HEIs could improve support by giving clear IAG on financial matters. Such advice could be given by a dedicated member of staff who is trained in the needs of UASC.

Once UASC are students at the HEIs, these needs focus around social and emotional support. Half (50%) of local authorities and charities suggested that the most important way HEIs can support UASC

during their degree was to provide a dedicated point of contact who can provide specialist pastoral support for UASC and who has links with the support services within the local authority. Such a support worker can for example help with any adjustments that need to be made regarding mental health. In practice this would mean ensuring appropriate training for those in student services.

Nevertheless, staff training on issues UASC face should go beyond the dedicated teams. Both local authorities and students suggested that all HEI staff should be made aware of the situation asylum seekers are in that may affect them in taking part in university life. For example, asylum seekers may not have a passport, and thus staff at enrolment or employment centres need to know that alternative forms of identification can be used.

3.4.4 Help with accommodation

Accommodation was an area that was repeatedly flagged up by students, and some local authorities and charities also recognised this as an area where HEIs could do more to help. Stable accommodation is one of our basic needs²⁶, and students said that the lack of stability in their housing was a source of stress that affected their overall confidence. Students suggested that the cost of university accommodation was high, and it was problematic for UASC to have to pay the full sum up front. HEIs could offer an accommodation fee waiver along with their scholarships. At a minimum, HEIs should offer students the option of paying the accommodation fees in monthly instalments.

The high costs of living in halls of residence often leads students to find accommodation in the private rental market. The private rental market brings its own issues for UASC. Private landlords can terminate rental contracts at short notice. Moreover, UASC are also thinking about how their housing during their degree will affect their ability to get accommodation after they graduate. UASC have established ties with a local authority over years. They risk losing those ties if they move onto campus, or into private accommodation near their HEI. This could, for example, affect their ability to get a council house once they graduate, as they have to establish these ties again from the beginning. UASC suggested that local authorities could work together better, and that HEIs could help by liaising with the care leavers team in the local authority. For example, HEIs could give new UASC students advice on whether it is better to keep ties with a local authority or to move to campus.

1. Classifying students as home students and providing additional support. See star-network.org.uk.

2. Tuition fee waiver and additional financial support. See article26.hkf.org.uk.

4. Conclusions

4.1 Experiences of UASC and barriers to accessing HE

Students found their progression into HE a stressful experience. UASC have to go through the asylum process at the same time as they apply for university. The uncertainty about both their immigration status and future education was a source of stress and anxiety for the UASC we spoke to.

A fee waiver and bursary scheme for asylum seekers allowed UASC who were previously effectively blocked from entering HE, to fulfil their ambitions.

This research has identified three main barriers for UASC progressing to HE:

Barrier 1: Immigration status and the cost of HE

Immigration status was identified as the main barrier because of the resulting tuition fee classification and ineligibility for student finance. The asylum process can take years, and for UASC that process happens exactly at the time they should be planning for their futures and laying their foundations. The new long residence category introduced into the English regulations for student support and fee status last year goes some way towards addressing this barrier. However, in practise, less than 7% of UASC coming to the UK would fall in this category. This means that large numbers of UASC are still excluded from HE each year.

Barrier 2: A lack of knowledge of immigration status and HE in schools

This means that many schools are not able to advise UASC accurately on the financial implications of going into HE. Schools should offer staff development so that their staff are more aware of the rights, entitlements, and opportunities available to UASC. Additionally, schools can be more proactive in providing such advice to UASC. As UASC may be reluctant to disclose at school that they are an asylum seeker, appropriately sensitive contact could be made with UASC in which their options for going into HE are highlighted.

Barrier 3: Gaps in formal education

Schools and HEIs could provide activities specifically aimed at UASC to support them academically and raise their attainment, so that they are able to fulfil entry requirements. Alternatively, HEIs could consider adjusting entry requirements for this particular group, reflecting the difficulties these young people have faced during their formal education.

4.2 Work underway and future opportunities

4.2.1 Falling through the cracks

Currently UASC are not a named target group for widening access work. The majority of UASC do not fall under the remit of OFFA, because they are classed as international students, who are not covered by access agreements. Consequently, only a single HEI in England has named UASC as a specific target group in their access agreement. Support is available for UASC as part of other schemes, for example those aimed at looked after children and care leavers, or refugees and asylum seekers. There has been a substantial increase in the commitment of HEIs to widening access for refugees and asylum seekers in the past year, following OFFA's inclusion of refugees as a target group in their guidance.

This research has shown that UASC are distinct from care leavers and asylum seekers, in that they have to face two sets of disadvantages simultaneously. Only part of their needs may be addressed in the current situation. Therefore, UASC should be recognised as a separate widening participation target group that should receive additional, targeted, tailored support. OFFA has indicated that they are interested in supporting the sector's understanding of the needs of UASC.

4.2.2 Knowledge on the needs of UASC

Part of this tailored support should include clear information on immigration status, tuition fees, and student finance. We found that a large proportion of those who provide UASC with IAG before applying, did not know what kind of financial support and fee waivers were available to UASC at their institution. Thus, HEIs should provide staff development on working with UASC, focussing on immigration status, UASC rights and entitlements, and support available. Many of the third sector organisations listed in Appendix 1 have outreach workers that would be able to deliver such training.

4.2.3 Financial support

Very little financial support is available for UASC. Only a third of HEIs currently waive fees for UASC or classify them as home students. One in five HEIs provide additional financial support to UASC. Moreover, each HEI only provides a handful of these places each year, and access to HE for this group of young people thus happens through competition, rather than by right.

4.2.4 Collaboration is key

Local authorities currently provide educational support for UASC, including their progression into HE. The students we spoke to generally felt well supported by local authorities in accessing higher education, and local authorities as a whole have good links with FECs and HEIs. However, there is some question over the types of support that are available to UASC in different local authorities. For example, only one respondent indicated they offered systematic support on application and through HE. While it is crucial that HEIs offer more targeted outreach, they need the co-operation of local authorities on this. Local authorities should evaluate the full range of their support for UASC, and strengthen their current links with HEIs to improve support.

4.2.5 A place to call home

UASC students generally felt insecure about their housing situation. Currently, little help is available for students with the costs of accommodation during their studies, and finding accommodation after graduation. For example, no HEI offered UASC students a discount on the cost of living in halls.

5. Recommendations

For HEIs:

- **Target outreach activities to engage UASC with HE.** Such activities should include clear IAG on immigration status, finances, and support offered by institutions to UASC and additional academic support for UASC to raise attainment. Such outreach should be done in collaboration with HEIs in the region, and regional networks, such as AccessHE.
- **Ensure a member of staff has expert knowledge on the needs of UASC.** This member of staff would be a first point of contact for students, a source of information for other staff, and would raise awareness about the needs of UASC across the institution.
- **Introduce fee waivers and bursaries for UASC.** HEIs can join campaigns such as the 'Equal Access Pledge' or the Article 26 scheme . Additional smaller grants for field trips, summer schools, or the hire of graduation gowns would help UASC to take part in student life fully.
- **Provide additional support with accommodation.** Students living in university halls of residence should be given the option to pay the accommodation fees in monthly instalments. Moreover, HEIs should consider offering an accommodation fee waiver over part of (e.g. summer holidays) or the entire year. HEIs should also liaise with the care leavers team in the local authority about accommodation after graduation.

For local authorities:

- **Strengthen existing links with FECs and HEIs.** This would help with identifying barriers for UASC going into further or HE, and finding solutions to these barriers.
- **Collaborate with other local authorities.** The local authority in which the young person has been cared for, and the local authority in which the HEI is based, should collaborate to minimise disruption in housing provision for UASC attending HE.
- **Support adequate provision of education.** Support needs to be adequate adequate both during secondary school and post-16, to ensure that UASC do not experience interruptions in their education in addition to those they may have experienced in their home countries.

For schools:

- **Provide staff with training on supporting UASC accessing HE.** Specifically, staff should be made aware of how immigration status affects tuition fees and eligibility for student finance, and the options that are available to UASC.
- **Adopt a proactive approach to providing IAG on HE to UASC.** This can be done by making contact with these learners that is appropriately sensitive and in which options for going into HE are highlighted.

For government:

- **Amend OFFA's legal remit to include all UASC.** UASC should fall within their remit irrespective of how long they have lived in England.

For HEFCE

- **Provide National Collaborative Outreach Programme (NCOP) consortia with information on UASC.** This would ensure that consortia that have UASC in their target wards can tailor (part of) their activities to the specific needs of UASC.

1. See: star-network.org.uk/index.php/campaigns/equal_access

2. See: article26.hkf.org.uk

6. Acknowledgements

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Appendix

Links to third sector organisations

Below is a list of charities and NGOs that students said provided them with support in accessing HE. These websites are a good starting point for finding further information on how you can support UASC going into HE.

- **Article 26**
www.article26.hkf.org.uk
 Article 26 is a project of the Helena Kennedy Foundation. They work in partnership with universities to provide advice and guidance on creating packages of support for students seeking asylum, which enables them not only to access but also succeed in HE. This includes a full tuition fee bursary and funding to meet some of the additional costs associated with studying.
- **British Red cross**
www.redcross.org.uk
 The Red Cross works with young asylum seekers and refugees aged 15 up to 25 years. They support them through the asylum process, while they settle in the UK and as they transition to adulthood. The Red Cross also refer and signpost to other agencies and services.
- **The Children's Society**
www.childrensociety.org.uk
 The Children's Society is a national charity that runs local projects, helping children and young people. The Children's Society helps young refugees and migrants find accommodation, overcome language barriers and to rebuild their lives in new communities, surrounded and supported by friends. They also campaign for changes to laws affecting children and young people.
- **Dost - Centre for Young Refugees and Migrants**
www.dostcentre.org
 Dost is a charity that aims to improve the quality of life of children and young people aged between 11 and 25 years old who are refugees, asylum seeking, trafficked, undocumented, or migrants newly arrived to the UK.
- **Helena Kennedy Foundation**
www.hkf.org.uk
 The Foundation exists to overcome social injustice by providing financial bursaries, mentoring, and support to disadvantaged students from the further and adult education sectors, enabling them to complete their studies in HE and move on successfully into employment or further studies.
- **Hillingdon Refugee Support Group**
www.hrsrg.org.uk
 Hillingdon Refugee Support Group is a registered charity that welcomes and provides care and practical support to young unaccompanied asylum seekers and refugees aged 16-21 years in the London Borough of Hillingdon.
- **Just for Kids Law**
www.justforkidslaw.org
 Just for Kids Law provides advocacy, support and assistance to young people in difficulty; particularly those in trouble with the law, looked after children and those at risk of exclusion from school. They combine specialist legal representation with individualised packages of support to address the multiple and complex issues that young people face and that prevents them fully engaging within society.

- **Let us Learn**
www.justforkidslaw.org/let-us-learn
Let Us Learn is a youth-led movement for access to HE for all young people living in the UK. Let Us Learn is part of Just for Kids Law, and campaigns and raises awareness.
- **Refugee Council**
www.refugeecouncil.org.uk
The Refugee Council works with refugees and people seeking asylum in the UK. They offer practical support and advice throughout their journey in the UK. They offer a helping hand to support and empower them to rebuild their lives.
- **Refugees in Effective and Active Partnership**
www.reap.org.uk
Refugees in Effective and Active Partnership (REAP) is an independent, refugee-led organisation in West London that aims to empower refugees and asylum seekers to live as valuable and valued members of British society.
- **Refugee Support Network**
www.refugeesupportnetwork.org
Refugee Support Network (RSN) works with and supports young asylum seekers, refugees and survivors of trafficking whatever their faith, religion or beliefs.
- **Right to Remain**
www.righttoremain.org.uk/toolkit/glossary.html
Provides an excellent glossary of terms used in immigration law.
- **Student Action for Refugees (STAR)**
www.star-network.org.uk
Student Action for Refugees (STAR) is a national charity that has student groups at more than 35 universities across the UK and a national team which co-ordinates and supports the groups. STAR groups are students' union societies that are affiliated to the charity. STAR has teamed up with the NUS on their Equal Access Campaign, encouraging institutions to take the Equal Access Pledge. This pledge ensures that all those seeking refugee protection are able to study as home students and are recognised as having additional needs and are therefore eligible for additional support.
- **UK Council for International Student Affairs**
www.ukcisa.org.uk
The UK Council for International Student Affairs (UKCISA) is the UK's national advisory body serving the interests of international students and those who work with them. UKCISA has expertise in immigration rules and access to HE, and provides information through their website and an advice line (+44 (0)20 7788 9214).





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