

**Circular Number:**  
FE 12/15

**Subject:**

**ACCESS TO FURTHER EDUCATION CLASSES FOR ASYLUM SEEKERS AND SYRIAN REFUGEES RESETTLED IN NORTHERN IRELAND UNDER THE VULNERABLE PERSONS RELOCATION SCHEME (VPRS)**

**Date of Issue:**  
9<sup>th</sup> November 2015

**Target Audience:**

- Directors/Principals of Further Education Colleges
- FE College Governing Bodies
- FE College Finance Officers
- Colleges NI

**Summary of Contents:**

- This Circular clarifies the eligibility requirements for asylum seekers and Syrian refugees granted resettlement in Northern Ireland under the Vulnerable Persons Relocation Scheme to access ESOL provision and other further education courses; and, clarifies the process to enable colleges to draw down funds under the Department's funding formula.

**Enquiries:**

Any enquiries about the contents of this Circular should be addressed to:

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**Status of Contents:**

Information

**Related Documents:**

FE 14/12

**Superseded Documents:**

FE 15/12

**Expiry Date:**

N/A

**DEL Website:**

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## **Introduction**

1. Circular FE 14/12, issued on 10 August 2012, clarifies the student eligibility and residence requirements for drawing down funds, under the Department's funding formula, for those living within the UK, the EU or the EEA.
2. This circular sets out new eligibility requirements for drawing down funds, under the Department's funding formula, for asylum seekers and Syrian refugees resettled in Northern Ireland under the Vulnerable Persons Relocation Scheme (VPRS). For the purposes of this circular, asylum seekers are defined as those who have made an application to the UK Border Agency for refugee status. Syrian refugees are defined as those who have been accepted under the government's VPRS and have been granted five years' Humanitarian Protection status. The scheme aims to support the most vulnerable individuals, particularly victims of torture and violence, women and children at risk and those in need of advanced medical care.

### **ESOL (and other Further Education) - Access for Asylum Seekers and Syrian Refugees resettled in Northern Ireland under the Vulnerable Persons Relocation Scheme (VPRS)**

3. Asylum seekers are eligible to access ESOL provision, and other further education courses, as soon as they have made an application for refugee status. The six month waiting period has been removed. Colleges will be able to draw down FLU funding when the applicant has provided confirmation that an application for asylum has been submitted to the UK Border Agency. In this regard, it is worth noting that students who have "no recourse to public funds" included in their passport stamp would not be in breach of their immigration conditions if they had access to education in the UK. "Public Funds" are defined in the Immigration Rules, and the benefits and services listed do not include education or education funding.

4. Syrian refugees who have been resettled in Northern Ireland under the government's VPRS are also eligible to immediate access to ESOL and other further education courses. Individuals accepted under the scheme are granted five years' Humanitarian Protection status, are eligible for social security and housing benefits and can seek employment.
5. In addition, asylum seekers and Syrian refugees accepted under the VPRS are eligible for free access to ESOL provision. However, if they wish to access other further education provision, colleges' normal fees policies will apply.
6. ESOL provision, like Essential Skills provision, attracts the highest weighting in the FLU funding model, and this will continue to be the case.
7. Asylum seekers who commence an ESOL course and then attain refugee status part way through the course should complete the course free of charge. However, subsequent enrolments on ESOL would not be free, and normal college fees would apply.
8. Most asylum seekers whose claim to refugee status has been refused lodge an appeal. Individuals will continue to be eligible as outlined above while their appeal process is underway – colleges will want to be satisfied that such an appeal is under way.
9. The spouse/civil partner of an asylum seeker, who has been so since the date of application for refugee status, and the child/children of the asylum seeker or of the spouse/partner of an asylum seeker, who was under 18 when the application for refugee status was made, will also be eligible as outlined above in respect of asylum seekers. The spouse/civil partner and children of a Syrian refugee will also be eligible for provision as outlined above.

## **Allocation of Funds**

10. Colleges are responsible for ensuring that all student information is recorded within the NICIS system.
11. The Department's Further Education funds should not be used to fund provision outside Northern Ireland.

## **Accountability**

12. The Principal/Director of each college shall:

- ensure that, for the purposes of administering funds, the college maintains and operates an adequate system of record keeping, financial management and internal controls, including safeguards against fraud, and shall require the college's external auditors, as part of their audit, to report on the adequacy or otherwise of that system;
- ensure that the college uses the funding provided in a manner consistent with the purposes for which the grant was given by the Department and complies with any terms and conditions attached to it; and
- provide such returns as may be required by the Department; colleges are reminded that full student records should be maintained