

Employment and volunteering

Employment

Asylum seekers

Asylum seekers are not usually entitled to work in the UK. However, the Home Office may grant an asylum seeker permission to work if:

- They are already legally working in the UK when they apply for asylum;¹
- A decision at first instance² on their asylum application has not been made within 12 months from the date the application was lodged;³ AND
- The delay in this decision is not considered to be the fault of the applicant.

If an asylum seeker is granted permission to work under these circumstances, there are conditions on their employment, which include:

- Only working in a post which, at the time the employment is accepted, is on the government's list of shortage professions;⁴
- Not working in a self-employed capacity;
- Not setting up their own business.

Refugees

Refugees have unrestricted access to the labour market.⁵ It is important to note that some work opportunities within the Civil Service are

only open to UK citizens and citizens of the commonwealth, therefore only refugees who are also citizens of the commonwealth will be entitled to access those.

Refugees face barriers to accessing employment opportunities. Good practice models of providing employability support tailored to the needs of refugees can be found in Section Three of the Practice Guide.

Volunteering

Asylum seekers are entitled to undertake voluntary work.⁶ They are entitled to have their expenses, including travel and food, covered by the organisation but no other form of payment or benefits may be offered.

Refugees have the same entitlement to undertake volunteering activities as UK citizens.

Experience from integration services in Scotland has found that volunteering provides an opportunity for refugees and asylum seekers to develop skills, expand their social networks (providing a source of future references) and bring them closer to the UK labour market as a result.

It is important to explain to refugees that volunteering activities should be documented and count towards employability related activities they may agree with the Department for Work and Pensions.

1. www.gov.uk/government/publications/working-whilst-an-asylum-claim-is-considered/working-in-the-uk-whilst-an-asylum-case-is-considered
 2. Meaning an initial decision from the Home Office. If the initial decision has been made, but appealed, this ceases to apply.
 3. Immigration Rules, Home Office, <https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-11b>
 4. 'Immigration Rules Appendix K: shortage occupation list', Home Office, www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-k-shortage-occupation-list

5. DIRECTIVE 2011/95/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 December 2011, European Parliament, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32011L0095&from=EN>
 6. 'Permission to Work and Volunteering for Asylum Seekers', Version 7.0, Home Office, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/583192/Permission-to-work-v7.pdf

Additional support

Scottish Refugee Council

Scottish Refugee Council's Services and Helpline can be contacted for advice – more information is available here

<https://www.scottishrefugeecouncil.org.uk/direct-support/>

Volunteer Scotland

Volunteer Scotland is the national agency supporting people to access volunteering opportunities and supporting organisations to work with volunteers. All local authority areas have a Volunteer Centre which can advise on local volunteering opportunities and provide support.

www.volunteerscotland.net/

Skills Development Scotland (SDS)

SDS support individuals across Scotland to build their career management, work-based and employability skills, throughout their career journey, from school, into further learning opportunities and employment.

www.skillsdevelopmentscotland.co.uk/

Fair Start Scotland

Fair Start Scotland is a Scottish Government funded employability support service being delivered in nine contract areas across Scotland by a range of private, public and third sector delivery partners including specialist providers. Participation is voluntary and support is designed to help people who face significant barriers to access work opportunities. More information can be found here

<http://www.employabilityinscotland.com/find-support/about-fair-start-scotland/>

Bridges Programmes

The Bridges Programmes is a specialist agency, supporting the social, educational and economic integration of refugees, asylum seekers, migrants, and anyone for whom English is a second language, living in Scotland.

Bridges works with employers and partners to ensure that refugees and migrants have support to help them into work (if eligible), education or further training.

www.bridgesprogrammes.org.uk/