

# Identifying Sanctuary Scholars

This resource sits within a range of Sanctuary Scholarship resources developed by the Article 26 project, in collaboration with our partner universities. All of these resources can be found on our website <http://article26.hkf.org.uk/policy-resources>.

Alongside Identifying Sanctuary Scholars, university professionals can also read our publication, Who Needs to Comply? This is a comprehensive guide which outlines the various immigration status categories, within which are details about the rights to student finance and higher education depending on status.

The guide offers information on how universities can support students within the various immigration status categories, especially those with unsettled status and those with limited leave to remain. Article 26 encourages universities to adopt a broad eligibility criteria across the spectrum of immigration statuses. This, and the other sanctuary scholarship resources, aims to support universities to implement these broader eligibility criteria and make higher education accessible to more sanctuary scholars.

Article 26

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Charity: 1074025

## Leave as an Unaccompanied Asylum Seeking Child (UASC leave)

An asylum seeking child who arrived in the UK on their own. Not recognised as a refugee but granted leave to remain on the basis of no adequate reception arrangements for their return home.

Grant of 2.5 years or until they reach 17.5 years of age (whichever is shorter). In the care of the Local Authority under Section 20.

1. Someone with UASC leave will not usually be eligible for student support.
2. Someone with UASC leave will normally need to pay international fees.

## Limit Leave to Remain (LLR)

Where limited leave has been granted due to circumstances of the individual but not as a result of the asylum claim.

1. Someone with LLR will not usually be eligible for student support
2. In England, someone with LLR will need to pay international fees

## Discretionary Leave to Remain (DL)

Discretionary leave to remain is a temporary form of leave to remain that can be given in a wide range of circumstances.

1. Someone with DL will not usually be eligible for student support
2. In England, someone with DL will need to pay international fees

## Humanitarian Protection (HP)

Humanitarian protection can be given to those who need protection but for a range of reasons, do not meet the Refugee Convention.

Someone who is given HP will usually be eligible for Home Fees if:

1. Ordinarily resident on first day of first academic year; and
2. Recognised as in need of HP by the first day of an academic year.
3. Have not ceased to be ordinarily resident since being given HP status.

Will only be eligible for student finance where:

4. Ordinarily resident on first day of first academic year.
5. Have HP leave and have been ordinarily resident since being granted HP leave.
6. Have been ordinarily resident in the UK for 3 years prior to the first day of the first academic year of the course.

A resettled person with HP, Spouse, civil partner or child of someone with HP If relationship existed at time of application for asylum then treated the same as person with HP.

## Refugee Status

A refugee is someone who has a recognised need to protection under the refugee convention.

Refugees are usually given home fee status if:

1. Ordinarily resident on first day of first academic year; and
2. Recognised as a refugee by the first day of an academic year; and
3. Has not ceased to be ordinarily resident since being given refugee status.

Refugees are usually eligible for Student Finance (England) where they are ordinarily resident on the first day of the first academic year.

## Indefinite Leave to Remain (ILR)

Settled status in the UK entitling a foreign national to be treated on the same basis as a British national.

Someone who is settled in the England is eligible for a student loan where they are ordinarily resident on the first day of the first academic year.

## Refused Asylum Seeker (fresh claim submitted)

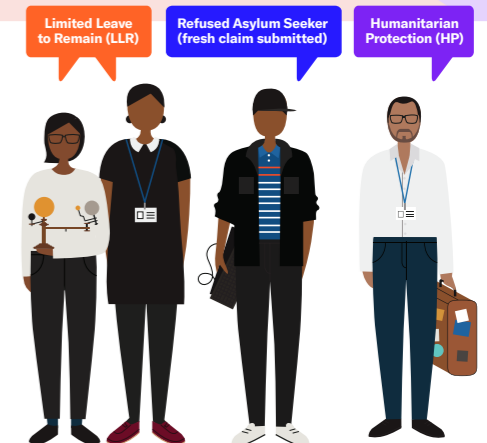
Where a fresh claim has been submitted and acknowledged and waiting for a decision as to (a) whether it amounts as a fresh claim for asylum and (b) whether granted status as a result of the fresh claim.

1. Someone who has submitted a fresh claim for asylum will not usually be eligible for student support.
2. In England, someone who has submitted a fresh claim for asylum will need to pay international fees.

## Asylum Seeker

Someone who has submitted a claim for asylum, awaiting a decision from the Home Office. Is therefore lawfully present in the UK until such time as any appeal is finally resolved.

1. Someone who is an asylum seekers will not usually be eligible for student support.
2. In England, someone who is an asylum seeker will need to pay international fees.



To learn more about the experience of Sanctuary Scholars and their statuses, flip this poster to read shared stories.

# Student Stories

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Our partners:

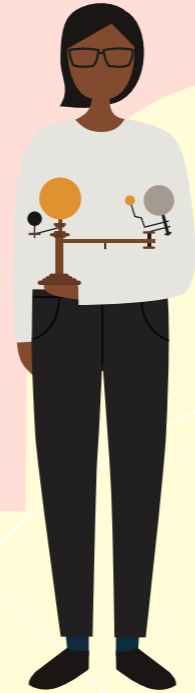


The University of Manchester

*Peter Stebbings  
Memorial Charity*



## Limited Leave to Remain (LLR)



### Fatou's Story

I was born in the Gambia and was brought to the UK when I was 4 years old. I came with my mum and we joined my dad who had moved here a few years before. We came to the UK on a visitors visa but after a while this expired and I lived without any official immigration status throughout my schooling until I tried to resolve this in my late teens.

When I applied to university, I had limited leave to remain. This was granted to me because I had lived for so long in the UK and the award was for for 2.5 years, after which I have to renew it.

I finished my A Levels last year with 3 As in Physics, Maths and Chemistry and was due to begin my Physics with Astrophysics course at Manchester that September. I couldn't take up my place because despite the fact that I've never left the UK since I arrived, I will not be eligible for student finance for three more years, when I will meet the three year ordinary residence criteria and be eligible under the 'long residence' category.

## Limited Leave to Remain (LLR)



### Aminata's Story

I arrived in the UK and applied for asylum. My application was refused by the Home Office and with the support of my solicitor I appealed their decision. My case went to the Immigration Tribunal and whilst my application for asylum was refused I was granted LLR for 2.5 years based on my circumstances.

I had applied to university and was offered a place on an undergraduate degree to study Biosciences. However, I discovered that with LLR I was classed as an international student and not entitled to Student Finance.

I applied for an Article 26 scholarship and the university provided me a full tuition fee waiver and a bursary for living costs. I was awarded the scholarship and able to start my degree programme. A few months before my 2.5 years of LLR came to an end I applied for further leave to remain, and I was granted a further award of 2.5 years placing me on the 10 year route to citizenship.

I completed my Biosciences degree course and graduated with first class honours. I currently work full time in clinical research as a Clinical Quality Manager.

## Refused Asylum Seeker (fresh claim submitted)



### Nuradin's Story

When I started going to college I was an asylum seeker, waiting for the Home Office to make a decision on my case.

I applied for asylum upon arrival in the UK. Whilst waiting for a decision on my case I started studying in college. My asylum claim was refused but I submitted an appeal.

I applied to University and in 2009, half-way through my second year in college I got offers, including one to study for a Physics degree at the University of Manchester. However, I couldn't take up the offer, because I had no way to access student finances and the university classed me as an international student. I deferred my place that year and the following September (2011) I deferred again.

In March 2012, I became aware of Article 26 through the Refugee Council and I submitted a scholarship application. At this point I could not defer my university offer again. My asylum appeal had been refused and I was required to report at an immigration reporting centre on a regular basis. I had submitted a fresh claim for asylum and was waiting on a decision from the Home Office. I was fortunate enough to be selected by Article 26 for a scholarship. They did thorough checks to ensure that I had an application for asylum pending with the Home Office.

Finally I managed to join the 2012 cohort at the University of Manchester where I graduated 4 years later with a first class MPhys Physics with Theoretical Physics. My asylum claim remained unresolved throughout my university studies.

I am currently doing my second year of a PhD at Manchester University.

## Humanitarian Protection (HP)



### Ismael's Story

I came to the UK as an unaccompanied minor and was initially granted discretionary leave (DL) until age 17 and a half, after which I applied for further leave and was granted Humanitarian Protection.

I applied to Kings College London (KCL) to study on a foundation degree and was offered a place, however, I found out that student finance did not cover the cost of a foundation degree.

KCL offered me a scholarship that included a tuition fee waiver and money towards living costs which enabled me to start my foundation degree.

I have found KCL to be a really supportive environment. The foundation degree course that I am doing includes 16 hours contact time so I get a lot of support from the course tutors. Additionally I know that I can contact them any time if I have any problems, which is really reassuring. I also receive a lot of support from the English Language centre in the university, they are always checking in with me, making sure I am ok.

I am in the process of submitting my UCAS application to start my UG degree next year. I am very pleased and I must say that without the Sanctuary Scholarship I wouldn't have been able to study.

Higher education is very important in order to realise my dreams. I want to work in international relations, making a difference and helping vulnerable people worldwide.