

ReStart: Refugee Integration Project



Ariennir yn Rhannol gan
Lywodraeth Cymru
Part Funded by
Welsh Government

Caiff y prosiect AilGychwyn: Integreiddio Ffoaduriaid ei ariannu'n rhannol drwy Gronfa Lloches, Ymfudo ac Integreiddio yr Undeb Ewropeaidd. Gwneud rheoli llif ymfudo'n fwy effeithiol ar draws yr Undeb Ewropeaidd.

The ReStart: Refugee Integration project is part-funded through the European Union Asylum Migration Integration Fund. Making management of migration flows more efficient across the European Union.

Who is a refugee?

What is the difference between a refugee and asylum seeker?

There is often confusion about what these terms mean. When someone seeking sanctuary arrives in a country they will apply for 'refugee status.' When this application is made the individual will be considered an **'asylum seeker'** and they will await a decision from the UK Government about whether they have a valid claim for international protection.

An asylum seeker has not yet had their refugee status determined and is waiting to hear the outcome of their application. Whereas a **'refugee'** has had their application approved and given refugee status or another form of protection.

Refugees are forced to flee their countries because of a well-founded fear of persecution because of their race, religion, nationality, social group or political opinions (More information about refugee status can be found in Annex A).

Do refugees have the right to work?

Refugees are not restricted in the type of work they are permitted to undertake in the UK. They have the **same rights to employment as British citizens**, they are not subject to the visa system which migrants are subject to. Work permission is valid, along with a National Insurance Number, for the length of their granted leave and they can apply for further leave to remain.

During this time, while an application for further leave is being considered, the refugee continues to have the same rights to employment and training as before, as long as they have applied for the leave before their current leave period has expired. If you are recruiting refugees who have made applications for further leave to remain or have an appeal pending against a decision on an application, or have employees in this situation, you should complete the Employer Checking Service (ECS) form.

www.gov.uk/employee-immigration-employment-status

Important Please Note: it is the responsibility of the employer to check that the individual has a work permitted status and to use ECS to check that they have applied for further leave (if required), failure to do so may result in a significant fine, but this is easy to do, as stated above, so should not be an issue. If you have concerns about this please speak to our Regional Employer Engagement Officers (REEO – See Annex B for more details).

What rights do refugees and others have?

	Refugee status (5 years) or Family reunion	Humanitarian protection (5 years)	Discretionary leave to remain (3 years)	Asylum seeker
Right to work	Work permitted – no employment restrictions	Work permitted – no employment restrictions	Work permitted – no employment restrictions	<p>NOT USUALLY PERMITTED TO WORK</p> <p>Unless has been resident in the UK for over 1 year and has been successful in application to the government for a National Insurance number. Then restricted to apply only for positions on the UK job shortage list.</p>
Access to the ReStart: Refugee Integration Project	Yes We can support refugees and employers to engage with work opportunities	Yes We can support those with Humanitarian Protection and employers to engage with work opportunities	No The ReStart project only supports those with refugee status and Humanitarian Protection. However, employers may offer employment to those with discretionary leave to remain.	No Asylum seekers are generally not eligible for work and are not eligible for support under this project.

Do our clients have good English language skills?

Our clients have varying proficiency in English. However, the ReStart project works closely with those still developing their English language skills to ensure we place those who are job-ready. There may be a variety of roles within your organisation that would be suitable for someone who is not completely fluent in English, or has good spoken English but requires development with reading and writing. Integration and employment within a British community is one of the best ways for our clients to improve their English language skills.



Annex A

Refugee Status

Refugee status is granted to a person who has had a positive decision on their claim for asylum under the *1951 United Nations Convention Relating to the Status of Refugees* (The Refugee Convention) and has been granted leave to remain in the UK, for refugee status this is for a period of 5 years.

Other protection statuses

Some sanctuary seekers are not awarded refugee status, as they do not meet the legal definition of a refugee, but are offered other forms of protection if it has been identified that they are unable to return to their country of origin and require protection that their country cannot offer (for example due to war in their country). People who have been granted Humanitarian Protection or Discretionary Leave to remain are not technically considered as refugees, under the refugee convention, but they have most the same rights of refugees and can access employment in the UK. We will be using the term 'refugee' to refer to those who have been granted permission to live and work here either by obtaining Refugee Status, Humanitarian Protection or Discretionary Leave to Remain.

Humanitarian Protection (granted for 5 years)

Humanitarian Protection (HP) may be granted to those who do not qualify for refugee status because the risk is not of persecution for a reason stipulated in the Refugee Convention but still requires international protection because there is substantial grounds for believing the individual will be at risk of encountering serious harm if they return to their country of origin. Examples for reasons of claiming HP include: Death penalty or execution, unlawful killing, indiscriminate violence (i.e. during war) or being subject to severe humanitarian conditions in the country of origin that their own state cannot or will not provide protection against.

A person with HP has the same rights to accessing public funds, education and no restrictions to work in Wales. The access to education differs in England, Scotland and Ireland.

Discretionary Leave to Remain (granted for up to 3 years)

Discretionary Leave to remain (DL) may be granted if a claimant does not qualify for Refugee Status or Humanitarian Protection, yet the deportation back to their country would breach be unjustifiably severe. For instance, if you have a serious medical condition or are even in the final stages of a terminal illness, the Home Office may decide that you cannot be sent back to your home country if there is no appropriate care for you to return to. In other cases, if you have been a victim of human trafficking or slavery you may also

be able to apply to stay in the UK, since you were brought here against your will. This is known as discretionary leave on 'compassionate grounds', and means that you could be able to bypass the standard immigration rules that would otherwise stop you being able to apply for a right to remain. These people are permitted to work with no restriction and have recourse to public funds and in Wales have full access to education (educational rights differ in England).

Annex B

Regional Employer Engagement Job description

Purpose of Post:

The Welsh Government's Equality Branch manages the 'Restart: Refugee Integration' project funded through the Asylum, Migration and Integration Fund (AMIF). This is a European Fund provided through the Home Office.

The Welsh Government Regional Employer Engagement Officer roles operate across Wales, increasing workplace opportunities for refugees. This includes seeking job opportunities, work placements and tasters, volunteering opportunities and workplace English language training. These roles will operate on a regional basis, working closely with employers and identifying opportunities in the local job market to demonstrate the assets of refugees.

The roles will work to identify large employers and Small to Medium Enterprises (SMEs) who work across Wales with a view to promoting refugee employment/placement opportunities, primarily in each dispersal area (Cardiff, Swansea, Newport and Wrexham). The posts will work regionally across Wales (1 in North Wales and 2 across South Wales) therefore travel to these areas to work with employers and communities in the regions will be required.

Key Tasks:

- Work with the organisations contracted under the Restart project to better understand the experiences of refugees and the barriers to employment.
- Work with colleagues across Welsh Government to gain knowledge of labour market recruitment and private sector engagement.
- Work with the sectors to fully understand the local/regional labour market and skills gaps and opportunities for partnership working, producing a gaps and opportunities report.
- Engage with local employers within the regions to promote the benefits of the project and of providing opportunities to refugees.
- Engage with large employers based in Wales to promote the benefits of employing refugees and to consider providing refugees with opportunities in their employment programmes.
- Coordinate local and regional engagement between employers and other partners in the ReStart project.
- Organise employer networking sessions to bring prospective employers together to raise awareness.
- Organise workshops to provide refugees with opportunities to meet prospective employers.

- Arrange suitable work placements for refugees providing them with opportunities to access employment.
- Engage with employers to support work placement opportunities and the development of a toolkit to demonstrate how to employ refugees effectively
- Meet with Senior Managers on a regular basis to update on progress with employer and sector engagement.
- Work with the Project Manager and Project Officer to discuss and report project objectives being met.

You can contact our Regional Employer Engagement Officers by emailing:
refugees@gov.wales