

## **Asylum Seeker/Refugee Volunteers - Considerations on how to support asylum seekers and refugees in volunteer recruitment processes**

### **References**

- If a volunteer is not able to provide 2 referees for the duration of 3 years, in some circumstances a personal statement may be acceptable; However, in the case of a volunteer who is a Refugee or Asylum Seeker it may not be appropriate to ask them for this due to risk of inflicting trauma
- Alternative approach is to do a risk assessment regarding the lack of references- to be signed off by a senior manager/HR
- The results of the assessment could involve setting shorter probationary period/ getting feedback from staff members or patients they have supported/ being paired with another volunteer

### **DBS/ID Documents**

- **ARC card, this is a form of ID with a photo and can be accepted**
- A bank account may exist if they have had support to set one up, however no proof of utility bills would be available
- Under 19s may also have college letters which could be used
- Some may have a port document from the Home Office, or correspondence from the Home Office about their circumstances- NOTE - these letters may contain both confidential and distressing information

### **Contact First Advantage for their support and confirmation of docs required**

### **Cross reference the DBS ID documents needed with NHS employers compliance rules**

### **Are there roles that can be conducted that do not require a DBS check?**

- Speak to Employment services
- Link to Trac DBS form to determine documents: This can be a barrier for volunteering, due to the level of documentation that may need to be provided

### **Further Considerations**

- A Hotel address can be a 'fixed abode' for more than a year
- An Asylum Seeker who is in a hotel (could be an individual with no family members), would receive £8 a week to live on. The hotel would provide food, and clothing would be provided by a charity
- An Asylum Seeker living in a residential address (could be with family members) are given £36 a week for food and use
- ❖ It is important to let the volunteer know about meal vouchers/ expenses. (they may need support with purchasing first bus ticket, expenses will always need to be cash)
- ❖ Provide the volunteer with uniform (including possibly trousers, shoes and a coat if it is outside volunteering)

- ❖ Asylum seekers can be moved at no notice by the home office, so address history can be complicated
- ❖ If volunteering can not take place is it possible for them to do some supervised work experience?
- ❖ Depending on their experiences is it worth bearing in mind trigger points within specific training?

## **Responses to enquiries for recruitment for refugees and asylum seekers for volunteering and work opportunities**

- Volunteering can be undertaken at any stage of the asylum process, but such activities must not interfere with scheduled events such as a substantive asylum interview, regular reporting event or re-documentation interview
- These events will not be rescheduled to accommodate volunteering
- Organisations offering such opportunities will need to allow some flexibility so that volunteers can attend interviews or appointments around their volunteering
- Volunteering must also not undermine the effective removal of those who do not need protection and do not qualify to remain in the UK on any basis

“Asylum seekers can volunteer whilst their claim is considered without being granted permission to work. **It is Home Office policy to support asylum seekers volunteering for charities or public sector organisations.** However, this must not amount to engagement as an ‘employee’ or a ‘worker’ and it is the responsibility of the individual and the organisation they are volunteering for to check that such activity does not mean they are working in breach of conditions.

- The organisation should also undertake all relevant safeguarding checks required
- Any personal details provided by the claimant as part of the immigration process cannot be confirmed by the Home office for use in any other context other than immigration matters

Key elements in establishing whether someone is a volunteer rather than an employee or worker are whether there is an obligation on the individual to perform the work, and an obligation on the organisation to provide it and whether the individual is rewarded for the work, through money or benefits in kind.

- Volunteers may be reimbursed for expenses incurred whilst volunteering, for example, for travel and food but should not receive any other payment
- If any other payment is received the role may be classed as an employee or worker
- Working or being employed by a charity or voluntary organisation is subject to the same restrictions as employment in other sectors, genuine volunteering roles are not subject to these restrictions

The guidance above is to help organisation understand the distinctions. However, if in doubt about whether a specific opportunity constitutes engagement as an employee or worker or volunteering, organisations should seek independent legal advice before taking on volunteers who are asylum seekers and who do not have permission to work.

**Thank you to Kat Tudor (Voluntary Services manager) North Bristol NHS Trust who shared this within Helpforce Equality, Diversity and Inclusion (EDI) Capacity Building Support Group**