

**28 January 2025**

**No Recourse to Public Funds (NRPF)**

Leeds City Council currently provides a range of support to people who are NRPF from welfare support through to provision under the Children Act 1989 and Care Act 2014. The council is currently working towards becoming an awarded Council of Sanctuary and as part of this commitment, and consistent with our commitment to being a compassionate city, we aim to establish clear and transparent pathways to support people who have no recourse to public funds (NRPF). As a city we are seeing the impact of people presenting whereby the NRPF condition is creating barriers in gaining access to support. As a council, and in partnership with the third sector, we are keen to ensure we address the implications as effectively and as consistently as possible. This briefing note informs the Third Sector on Leeds City’s Council’s approach to collaboratively addressing the growing concerns regarding people who are subject to the no recourse to public funds condition.

NRPF is a condition imposed on someone due to their immigration status. Section 115 of the Immigration and Asylum Act 1999 states that a person will have 'No Recourse to Public Funds (NRPF)' if they are *'subject to immigration control'.*

* This condition applies to people with the following types of immigration status: leave to enter as a visitor, leave to remain as a spouse, leave to remain as a student, leave to remain granted under family or private life rules and indefinite leave to remain as the adult dependent relative of a person with settled status (where a five-year prohibition on claiming public funds applies). A person subject to immigration control has no entitlement to most welfare benefits, including income support, housing benefit and a range of allowances and tax credits. People with NRPF are at higher risk of homelessness and destitution as they cannot access social housing, welfare benefits and in some cases may not be entitled to work.

There are many reasons why people may have no recourse to public funds, as outlined below. However, cases are individual and there may be different routes to seeking support. Examples include:

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| **People seeking asylum** | are supported by the Home Office pending the outcome of their asylum claim. |
| **Work Visas including Care Worker visas** | e.g. between June 2022 and June 2023, almost 78,000 people secured long-term visas to work in the UK social care sector with the NRPF condition attached |
| **Hong Kong British National Overseas Visa** | can work or study, including higher education, can use the NHS but will not be entitled to other benefits. |
| **EU (European Union) Citizens** | following Brexit and the introduction of the new immigration system in January 2021, EU citizens are subject to NRPF. |
| **Undocumented** | where people may have overstayed their visa, or never had status, or are not able to renew status due to costs or other reasons. |
| **Spouse visas** | however, they are entitled to work |
| **International students** | however, most are entitled to work for 20 hours a week |
| **Family visa route** | usually a partner, dependent/s including children or elderly parents |
| **Leave to enter or remain that is subject to maintenance undertaking** | applies if a person acted as a sponsor for a person’s immigration application and signed an agreement to provide that person with accommodation and financial support whilst they are in the UK. |
| **Foreign rough sleepers** | could be any of the above |
| **Windrush** | some people have lived in the UK for a long time and may be lawfully present but cannot prove their immigration status |
| **Returning British Nationals** | People who have lived abroad for a considerable time are subject to habitual residency test, as a result they are excluded from claiming public funds |

A NRPF Task and Finish Group has been convened, initially involving key council services to better understand and coordinate our response and support to families and individuals to maximise our mutual collective resources, this will then be widened to key partners including Third Sector, West Yorkshire Police and others.

The Leeds Strategic Migration Board (LSMB), chaired by the Chief Officer for Safer Stronger Communities, is the governance arrangement that is overseeing this area of work. In December 2024, LSMB received a progress update with further action to develop a suitable and realistic model of delivery for consideration. This work is now progressing.

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