KING'S College LONDON

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Higher education on hold

Access to higher education for young people with insecure or unresolved immigration status

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Commissioned by King's College London

The Centre for Education & Youth

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This research would not have been possible without the generous contributions of our steering group members, interview and focus group participants.

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Forewords

Tell me, what did you want to be as a child? At fourteen, what was that ambition that kept you up at night? Or maybe that goal you were unsure if you could reach? The inexplicable dream or the thing that you loved? I had an ambition as such. Beyond being a superhero, I wanted to be a medical doctor. But, when I found myself applying for medical school, I knew what awaited me no matter the verdict of my application.

I knew that universities would consider me an international student and I was ineligible for student finance. I knew because I watched my brother go through this. I watched as my dad overworked and was driven into debt to pay my brother's university fees. I watched this daring act failed, leaving my brother's education on hold – as I approached this pit of uncertainty and stifled ambitions myself. When I think of it, I consider myself lucky. Unlike many in my situation, my ambitions were not unexpected ripped away when I applied for university, nor was I oblivious to my circumstance. I had time to prepare and to plan. But when facing a systemic issue, planning and preparing is never enough. This pit wanted to swallow me whole and my ambitions alongside me.

Even now, I cannot rationalise the political and economic explanations of the Home Office's policies; policies that put my family and I in this position. Fortunately, I was met with empathy, kindness, and support by the WeBelong family and the King's Widening Participation team. I would not have known about sanctuary scholarships, understood my status nor had a strong application if not for WeBelong. Upon encountering them, I realised I was not alone in this struggle and my ambitions did not need to be relinquished. In my experience applying for sanctuary scholarships, the King's Widening Participation team were the only university that sought to actively support me and showed a genuine understanding of my situation. I was made aware of all aspects of the scholarship application process, King's had clearly considered my situation and I was gently guided through each step.

My journey has been challenging, yet I have been very fortunate to receive the support I have. Many young people in my situation still have no clue about what they can do and where to begin and for others, their attempts have been futile, and their morale runs low.

Kofi Annan held that 'education is the premise of progress in every society, in every family'. If this were true, I would hope all institutions of education would act as stewards of knowledge, rather than gatekeepers, and would ensure that young people like me are made aware of scholarship opportunities and supported to apply. I would hope that they are understanding of our status and would actively work to tear down barriers to accessing education.

Even if education were not the premise of progress in every society, I would hope for the same things, because no young person should be starved of education. No young person should have to cast aside their ambitions.

To those who are yet to find a way out of the pit, please cling to your ambition, do not suffer in silence, and see this as simply an interruption, not the end.

Samuel Remi-Akinwale
Politics student at King's College London

In 2020 Citizens UK named King's College London the first Refugees Welcome University in recognition of our response to the global issue of forced displacement. These students are strong survivors, ambitious and brave, and we have a history of supporting forced migrant students to thrive. Amid all their struggles, a top priority is overcoming the barriers they face when trying to access higher education.

Through this research we have gained a greater understanding of what these barriers are and have broadened our focus from forced migrants to all young people whose immigration status affects their access to HE. While some of the barriers to university access are shared with other groups, the difficulties these young people face may be especially pronounced because of the unique conditions of migration, integration and the challenges of navigating the immigration system whilst trying to pursue their educational aspirations. Like all students we work with, each person's story and context is different. But the students we focus on in this report share particular challenges when it comes to access to support and the complex legal backdrop in which they're trying to get on. This report recommends the changes to policy and practice necessary to support these young people who see access to higher education as the key to rebuilding their lives and futures.

Education in a broad sense empowers: it creates knowledge, builds confidence, and breaks down barriers to opportunity. It promotes greater participation, both in university and in civic life. These are students with a lot of vital skills, knowledge, and experience, and it is up to us to tap into this talent.

We call on other universities to follow the recommendations of this report, which identifies several areas for improvement for us all, to ensure equality of access for these students, to ensure equality of access for these students to the education and future they deserve.

Michael Bennett
Associate Director of Widening Participation at King's College London

1 Executive summary

This report explores access to higher education (HE) for young people with insecure immigration status, including young people with refugee or humanitarian protection status, asylum seeking young people, young people with indefinite or limited leave to remain and young people who are undocumented.

We set out the extent to which these young people are underrepresented in HE, the barriers to access they face and the changes to policy and practice necessary to support them.

Our research finds that many young people, including those that have lived in the UK for the majority of their lives, are unable to access HE as they are ineligible for student finance support. This has a detrimental effect on individuals as well as a social and economic cost, as young people are prevented from fully realising their skills and talents.

Approach

The report aims to provide practitioners, educators and policy makers with an understanding of how different categories of immigration status affect young people's access to HE. Building a greater understanding of the immigration system and the barriers it sets up to accessing HE is the first step in ensuring young people with insecure immigration status receive the support necessary to progess to HE.

We draw together findings from existing literature alongside primary research with young people and sector experts including immigration law specialists, practitioners working with migrant young people, academics and widening participation staff.

The report addresses four main research questions:

1. Which groups of young people face barriers to accessing HE due to their immigration status?

Throughout this report we use the term 'young people with insecure immigration status' to refer to young people with refugee or humanitarian protection status, asylum seeking young people, young people with indefinite or limited leave to remain and young people who are undocumented. These groups of young people are more likely than UK nationals to face barriers to accessing HE, as well as challenges that impact on their experience of HE and the outcomes they are able to achieve. Many of these barriers have their roots in uncertainty, which is a common feature of life for young people with insecure status.

Undocumented young people, asylum seekers and those with limited leave to remain face particular uncertainty due to the temporary or unresolved nature of their immigration status. These statuses also carry specific restrictions that prevent access to student finance or to HE altogether. Young people with other statuses, such as refugee and humanitarian protection status and indefinite leave to remain, have a relatively greater level of certainty with regard to their current and future immigration status and are able to access student finance. However, they are likely to have navigated periods of significant uncertainty prior to gaining this status.

2. To what extent are these young people underrepresented in HE?

A paucity of accurate data on the population of young people with insecure immigration status in the UK, combined with universities not recording students' immigration status, means it is not possible to ascertain the precise extent to which these young people are underrepresented in HE. However, existing research focusing on refugee education finds refugees are significantly underrepresented in HE across the world and experts report that young people who hold other forms of insecure status are highly unlikely to progress to HE.

The extent to which different groups of young people with insecure status are underrepresented is likely determined by the legal restrictions attached to their status. Some groups, such as undocumented young people, are not able to progress to HE without regularising their status. Others, such as young people with limited leave to remain and asylum seekers, are restricted from accessing student finance. It is therefore reasonable to assume that these young people are less likely to progress to HE than their peers.

3. What are the main barriers to HE experienced by young people with insecure immigration status?

Young people with insecure status endure prolonged periods of uncertainty, during which they are unable to plan their lives and make decisions about their future. Navigating the immigration system can take many years, meanwhile young people can find themselves locked out of the systems of support that would allow them to access HE and pursue fulfilling studies. Likewise, the barriers to HE access faced by young people with insecure status including: an inability to navigate complex systems, receiving conflicting or inaccurate advice, poverty, poor mental health, pre-migration trauma, and changes to a young person's status, link back to a common theme of uncertainty. These barriers restrict HE access and continue to impact negatively on young people's HE experiences if they are able to progress.

Many young people are not eligible for home fee status or student finance due to restrictions on their immigration status, and this forms the primary barrier to accessing HE. Undocumented and asylum-seeking young people are not eligible for student loans, while young people with limited leave to remain must meet specific criteria including having lived in the UK for half their life and having held status for three years. Without changes to the policies that impose these restrictions, it will not be possible to fully and sustainably address the underrepresentation of these groups.

Even where young people are eligible for student finance, if they are not a UK national they face significant hurdles in demonstrating their eligibility to universities, and particularly, to Student Finance England.

As well as legal barriers, young people with insecure immigration status are more likely to face a combination of the following additional barriers which limit HE access:

- **A lack of support in school.** This can include poor advice stemming from limited understanding of immigration status among practitioners, low teacher expectations and schools' inability to meet the complex needs of young people with insecure status.
- **Increased likelihood of living in poverty.** This has implications for young people's educational attainment, their ability to maintain legal status and their ability to self-fund a HE course.
- **Poor language proficiency and difficulties attaining qualifications**. Some young people must learn English in order to progress to HE but support is patchy and limited. In addition, even where young people have strong English skills they can encounter challenges attaining the requisite language qualifications.
- **High incidence of mental health issues** which can arise from pre-migration trauma and the stress of living with insecure status. These mental health problems can have a negative impact on young people's ability to engage with education.

- **A lack of high-quality support from HE institutions** which often provide unclear information, and rely on scholarship programmes which only facilitate access for a select few.

4. What support and policy change is needed to widen access to young people with insecure immigration status?

Policy changes are urgently needed in order to widen access for young people with insecure immigration status. Young people should be eligible for home fee status and student finance support as soon as they are granted legal status. This requires the removal of the long residence category conditions for student finance eligibility for young people with limited leave to remain. Without a change to this policy, we cannot make meaningful progress in widening access to young people with insecure status. Universities should use their influence to work alongside other sector organisations in calling for this change.

In the meantime, Student Finance England should make changes to their practice to make it easier for young people with insecure immigration status to understand and, where relevant, prove their eligibility, by making their decision making more transparent, providing specialist support for these groups and reducing the evidence requirements and administrative burden placed on prospective students.

Practitioners working with young people need to understand different immigration statuses and the implications these have for HE access and eligibility for student finance. Schools, colleges, Student Finance England, university admissions teams and widening participation teams must therefore take steps to improve knowledge amongst their workforce.

As well as campaigning for policy change, universities should review and improve their admissions practices, widening participation programmes and scholarship provision in order to better support young people with insecure immigration status. Specifically, they should:

- Provide specialist admissions support.
- Adopt a flexible approach to language qualifications and provide pre-sessional English language courses.
- Include young people with insecure immigration status in Information, Advice and Guidance (IAG) activities and widening participation programmes.
- Provide targeted advice and support for young people with insecure status in relation to immigration status and student finance eligibility.
- Broaden scholarships to include all young people who are not currently eligible for student finance due to their immigration status.
- Ensure that scholarship application processes do not create additional barriers for young people.
- Provide ongoing support once young people with insecure status progress to HE, including mental health support and support with debt if a student's loan application is rejected.

2 Introduction

Young people with insecure immigration status face considerable barriers to accessing higher education (HE). The existing evidence frequently focuses on refugees' and asylum seekers' experiences and HE access, leaving gaps regarding young people who are undocumented or have limited leave to remain. In order to highlight the commonalities and differences in the experiences of each group of young people with insecure status, and to address these gaps, this report explores the experiences of all groups with insecure status, including:

- young people with refugee and humanitarian protection status
- asylum seeking young people
- young people with limited leave to remain
- young people with indefinite leave to remain
- undocumented young people.

While the barriers experienced vary depending on which status an individual holds and when it was granted, all young people with insecure immigration status share a common experience of uncertainty as they attempt to navigate the immigration system in order to gain secure status and access HE. Therefore, uncertainty forms a common thread across all findings and resolving this uncertainty, as much as is possible, underpins the recommendations made.

In order to examine how access to HE for young people with insecure immigration status is shaped by immigration policy and their wider educational and life experiences, we present a review of the legal, systemic and experiential barriers faced by these groups. We also set out how policy change and improved support from schools and universities is needed to help these young people access and then succeed at HE. We draw on existing literature as well as primary research with young people and a steering group of experts explore the following four research questions:

1. Which groups of young people face barriers to accessing HE due to their immigration status?
2. To what extent are young people with insecure immigration status underrepresented in HE?
3. What are the barriers to HE access experienced by young people with insecure immigration status?
4. What support and policy change needed to widen access to young people with insecure immigration status?

As well as increasing access to underrepresented groups, the widening participation agenda includes improving students' HE experience and the extent to which they succeed in HE. Therefore, while our report focuses on barriers to access, we also highlight throughout how many of these barriers, including difficulties maintaining legal status, continue once young people with insecure immigration status progress to HE. We set out the action needed from schools, universities, policy makers and the student finance system to ensure these young people can flourish.

3 Methodology

This report brings together findings from a desk-based review of existing research and data, an initial expert steering group, together with a round of expert interviews, and focus groups and interviews with young people with insecure immigration status. Our aim was to address the research questions set out in section 2 by examining the existing knowledge base, identifying gaps, and addressing these gaps through new primary research.

Desk-based review of existing literature

We began the research with a rapid review of academic and grey literature relating to each of our research questions. We also approached widening participation practitioners and academics in order to identify studies that might not have been picked up in our own searches.

Steering group

During our desk-based research, we convened an initial expert steering group in order to stress-test our research questions, hear angles on the research we had not considered, and identify existing literature and data we may not have picked up in our desk-based review. The steering group was recorded and transcribed, and involved the following individuals:

- **Charlotte Buckley**, Head of Immigration at Just for Kids Law
- **Emily Bowerman**, Head of Programmes at The Refugee Support Network
- **Emma Cox**, Advocate at The Children's Society
- **James Asfa**, Lead Organiser at Citizens UK
- **Katie Barringer**, Head of HE at The Refugee Support Network
- **Dami Makinde**, Co-Founder and Co-CEO of We Belong
- **Kimberly Garande**, Outreach Officer at We Belong
- **Lindy Newns**, Thrive Worker at The Children's Society
- **Ben Hudson**, Lecturer in Law at The University of Exeter
- **Kate Higgins**, Head of Operations at Refuaid
- **Matt Blacker**, Head of Programmes at Hope for the Young
- **Jack Mollart-Sollity,** Widening Participation Manager at King's College London
- **Jacqui Mujico**, Widening Participation Officer at King's College London

Expert interviews

We conducted six interviews with practitioners working in HE, the third sector and campaigning organisations with strong expertise in immigration and HE access. Interviews were conducted by phone, recorded and transcribed. We spoke to:

- **Dr Rebecca Murray**, Postdoctoral Research Associate and Project Manager at The University of Sheffield
- **Isabelle Habib**, Senior Access Officer at Birkbeck, University of London
- **Nick Watts**, Founder and Director of Together with Migrant Children
- **Emily Crowley**, Chief Executive at Student Action for Refugees (STAR)
- **Dami Makinde**, Co-Founder and Co-CEO of We Belong
- **Kimberly Garande**, Outreach Officer at We Belong

In addition, we consulted other experts to check details of the immigration and the student finance systems and to stress-test findings and recommendations. We spoke to:

- **Lynne Condell**, Manager, Student Money Advice, Liverpool John Moores University and Chair of the Vulnerable Students Stakeholder Group (VSSG)
- **Anna Mulcahy**, Access to Justice Co-ordinator, Hackney Migrants Centre
- **Charmaine Valente**, Funding Information Partners Account Manager, Student Loans Company and a member of the Vulnerable Students Stakeholder Group (VSSG)

Young people focus group and interviews

We set out with the intention of conducting two focus groups with young people, but adapted our approach in response to recruitment challenges. Our fieldwork ultimately consisted of a focus group with five young people, and a one-to-one interview with a sixth young person. Two of the young people were undocumented and were applying for status, while three had limited leave to remain and one now had citizenship. Five did not yet have eligibility for student finance due to the long residence category (see section 6.2.1). One young person had previously been undocumented but had gained citizenship and was now in their first year of university.

We Belong, a campaign organisation working with young people with insecure status, supported with the recruitment of young people for our fieldwork.

4 Which groups of young people face barriers to accessing HE in the UK because of their immigration status?

4.1 Identifying groups by their immigration status

Much of the existing literature on migrants' access to HE centres on refugees and asylum seekers, and this focus overlooks many young people whose immigration status will affect their HE access.

A report by the Joseph Rowntree Foundation (Dwyer, 2011) references five broad categories of migrants: asylum seekers and refugees, labour migrants, irregular migrants, students and family joiners. This framework categorises migrants primarily on the basis of their reasons for entering the UK. However, it is young people's legal status, rather than their reason for entry, that will determine their ability to access HE.

In this report, we therefore focus on all groups of young people whose current or recent immigration status could affect their access to HE. We focus the categorisation of young people around the first three categories identified by Dwyer, further subdivided into five groups to include young people who:

- **Are undocumented**: young people who were either born in the UK to parents without legal immigration status or were brought to the UK with parents who did not have legal status or whose status elapsed[1].
- **Have limited leave to remain**: young people who are on a route to settlement in the UK, such as the ten-year route to settlement, and therefore are granted limited leave to remain which must be renewed each two and a half years.
- **Have indefinite leave to remain but are not citizens**: young people who are granted indefinite leave to remain, which is more permanent than limited leave to remain but is conditional and is not akin to citizenship. Applying for citizenship requires a further application.
- **Are asylum seekers**: young people who are in the process of claiming asylum, having fled their home country due to threats to their safety.
- **Have refugee or humanitarian protection status**: young people whose asylum applications have been granted. This may include young people who have been given temporary refugee status until they turn 18, at which point they would need to regularise their status through a ten-year route to settlement.

4.2 Terminology

The term 'forced migrants' is frequently used to describe asylum seekers and refugees; individuals who left their home countries to flee persecution. However, Dami Makinde, Co-Founder of We Belong, argued during our steering group that this term should encompass all people who did not have agency in

1 It is important to note that, since 1983, UK citizenship rules do not grant citizenship by birthright to those born in the UK to parents who do not have settled status or citizenship. Children born in the UK that do not have status can apply for citizenship when they turn 10 years old if their family can afford the application fee.

the decision to come to the UK, including undocumented young people or those that have limited leave to remain who were brought to the UK as children:

> ***'This conversation or this term 'forced migrant' that has surfaced recently…I still have a problem with that particular wording…because when you say 'forced migrants' to most people they still think of people who've fled war or are being persecuted…[but] it's there to encompass those who didn't have a choice in coming into the UK, so young people who were brought to the UK.'***

Furthermore, creating a meaningful distinction between so-called 'forced' and therefore other 'unforced' migrants reinforces a 'good migrant-bad migrant' narrative, implying that some immigrants are worthy of research and support to access education whilst others are not. We therefore avoid the term 'forced migrant' in this report. The terminology we use focuses on young people's legal status at the time when they seek to access HE, in order to reinforce the significance of their status in shaping their options.

Despite the categorisations in this report focusing on young people's legal status, we acknowledge and support the importance of recognising that individuals are not, and should not, be defined by this status. This was highlighted by James Blatchley-Asfa, Community Organiser at Citizens UK:

> ***'A lot of the framing work that we've been doing recently has been about making sure that you focus on people followed by their status rather than just defining people by status. I think that's a good practice to use, especially when you're talking about access to university.'***

Therefore, while we refer to different groups of young people as 'undocumented young people' or 'asylum seeking young people' when different legal statuses create particular barriers to accessing HE, we do not see young people as being defined by their legal status.

4.3 Population estimates

Limited data makes it impossible to accurately quantify the population of young people whose access to HE might be affected by their immigration status. However, existing literature provides estimates, to varying degrees of accuracy, of the populations of different groups.

4.3.1 Refugees and asylum seekers

At the end of 2018, there were 126,000 refugees in the UK, with 45,000 applications pending, though the number of applicants aged under 18 is not published (The Refugee Council, 2020). In 2019, there were 3,649 asylum applications from unaccompanied minors and 7,211 children under 18 were included on a parent or guardian's asylum application *(ibid)*. While just under half of all asylum claims are granted, approximately 80% of unaccompanied children's applications were granted asylum in 2019, a considerable rise on previous years. A further 10% were granted Unaccompanied Asylum Seeking Child (UASC) leave – a temporary form of leave lasting until the child is 17½ years old.

4.3.2 Undocumented young people

Due to their undocumented status, the population of children and young people without legal immigration status has been described as 'counting the uncountable' (Kerry, 1977 as cited by Jolly, Thomas and Stayner, 2020, p.5).

Despite the lack of official statistics, a widely referenced study, now nearly a decade old, estimated that there were 120,000 undocumented migrant children in the UK, around half of whom were born here. These children are described as 'a diverse population mostly below the radar of current political debate' (Sigona and Hughes, 2012, p.1). A more recent population estimate suggested there are approximately

215,000 undocumented children and 117,000 undocumented young people aged 18-25, with populations concentrated in London and the West Midlands (ibid; Jolly, Thomas and Stayner, 2020; Capron, Dexter and Gregg, 2016).

4.4 Understanding status and routes to settlement

In order to understand the barriers to HE access faced by the five main groups of young people identified in this research, we first need to establish working definitions of their legal status and their potential routes to settlement.

See table 1 overleaf.

Table 1

Group by status	Subgroups	Potential routes to settlement, regularisation or citizenship
Undocumented young people	Children born in the UK to parents who are themselves undocumented	When these children turn 10 years old they can apply to become British citizens at a cost of over £1,012, for which there is no fee waiver. Parents can then apply for a route to settlement for themselves on the grounds that they have a British child and families will often include younger siblings or older siblings who were not born in the UK on such an application. Therefore, some children and young people gain status, namely limited leave to remain, on the basis of their sibling becoming a British citizen via this route.[2]
		When these children are between 7 and 10 years old, on the basis that they have lived in the UK for at least 7 years, they can apply for limited leave to remain on a route to settlement under a human rights application stating that they have established a 'family and private life' in the UK. These are difficult criteria to evidence and a claim would likely require expert legal advice.
	Children and young people brought to the UK before they turn 18, whose parents do not apply for status. and Children and young people brought to the UK on a temporary visa which has expired.	These children and young people will apply for a route to settlement either through a parent's application, or, more likely through an application in their name. If a parent applies for limited leave to remain, to enter the 5- or 10-year route to settlement, their children can be included on the application. The parent's application would need to be made on one of the following grounds[3]. ■ That they have lived here for more than 20 years (10-year route only) ■ That they have had a British partner for at least 2 years (the income threshold of £18,600 dictates whether this would be a 10-year or a 5-year route to settlement) ■ In exceptional circumstances under article 8 that 'there are significant obstacles to reintegration in your country of origin'. Case law has set a high threshold for what constitutes such an obstacle. A young person can apply for limited leave to remain on the 10-year route to settlement, if: ■ they are under 18 and have lived in the UK for 7 years, and, can demonstrate that it would 'not be reasonable'[4] for them to return to their country of origin, or, ■ they are between 18 and 25 years old and have lived in the UK for more than half their life, Limited leave to remain must be renewed every 30 months. With regard to the length of time spent in the UK, they must provide proof of residency at six month intervals. Applying for limited leave to remain is costly: £1,033 per extension, per person, plus £624 health surcharge[4] per year. While fee waivers are available, these are highly complex applications and most people require legal advice, which in turn requires accessing legal aid.

2 It is important to note that when UK-born children who are undocumented apply for settlement when they turn 10 years old, despite being a citizen, they are still likely to be affected by their parents' status, for example through policies such as No Recourse to Public Funds (NRPF) which restrict their parents' ability to claim child benefit.

3 All conditions and criteria set out here are complex and subject to change in some cases dependent on an individual's current status and evolving case law. The information given here provides a general overview of routes to settlement to exemplify how people can or cannot gain status and the complexity of the system but should not be used as immigration advice.

4 https://www.gov.uk/healthcare-immigration-application

Group by status	Subgroups	Potential routes to settlement, regularisation or citizenship
Young people with limited leave to remain	Children and young people who on the basis of their long residency in the UK and their 'private life' or as a dependent on their parent's application, have been granted limited leave to remain for a 30-month period.	After renewing their limited leave to remain every 30 months for 10 years, a young person can apply for indefinite leave to remain (see below), and then citizenship. Applying for indefinite leave to remain is also costly: £2,389 per person. There is no fee waiver available for this so gaining permanent settlement depends on whether an individual can afford this. If someone cannot afford the application, they will be forced to renew their limited leave to remain, with a fee waiver (see above).
Young people with indefinite leave to remain	Children and young people who have a right to live in the UK for an unlimited length of time, but are not citizens. Individuals usually gain this status after following a 5- or 10-year route to settlement.	These young people can apply for citizenship at a cost of £1,012, for which there is no fee waiver.
Asylum seekers	Unaccompanied asylum-seeking children (UASC)	These children and young people make an asylum application, which if granted will result in refugee status (see below). However, some are granted humanitarian protection instead of refugee status or a temporary leave known as UASC leave which lasts for 30 months or until they are 17.5 years old, whichever is sooner, if there are no adequate reception arrangements in the country to which they would be returned.
	Dependents of asylum-seeking parents or guardians	These children and young people are included on their parents' application for asylum.
Refugees	Children or young people that have been granted refugee status following an asylum claim.	Once a young person has held refugee status for 5 years they can apply for indefinite leave to remain or 'settlement' (see above), and then citizenship.

(Home Office, 2021; Citizens Advice, 2021; Yeo, 2021; Jolly, Thomas and Stayner, 2020; Pease, 2019; Muzira, 2018)

Although Table 1 sets out only basic information about different statuses and pathways to regularisation[5], it demonstrates that for the majority of young people with insecure status, regardless of the nature of their arrival in the UK, the path to secure status or settlement is long and complex.

5 Pathways to settlement and the cost of immigration status applications are subject to change. The information provided here is simplified and is true at the time of writing. This information can be used by practitioners and the public to improve their understanding but should not be used as immigration advice by individuals looking to regularise their status.

5 To what extent are these young people underrepresented in higher education?

The United Nations Human Rights Council found that 34% of young people globally go to university while only 1% of the refugee youth population attend HE (United Nations Human Rights Council, 2016). However, it is not possible to draw the same comparison in a UK-specific context because of a lack of data (Stevenson and Baker, 2018).

Firstly, given that the number of young people with insecure immigration status in the UK is not known (see section 4.3), it is not possible to establish the number of students with insecure immigration status progressing to HE that would constitute proportional representation in UK higher education.

In addition, HE institutions do not collect data on students' immigration status. Students entering HE are categorised as home or international students, and UK-resident young people with insecure status might fall into either group. As a result, there is no way to differentiate these groups of young people statistically from other students (Stevenson and Willott, 2008).

The lack of reliable and accurate data on student numbers and population sizes more broadly was repeatedly raised as a key issue in our steering group. Where a lack of data or definition surrounds a potential problem, a lack of impetus to address the issue frequently follows. However, universities may have significant legal and ethical concerns about collecting and holding this data as Ben Hudson, a Lecturer at the University of Exeter explained:

> ***'I think it's difficult for the universities because it's always [a question of] how do they go about finding that information and then using it, storing it in a way that is not only GDPR compliant but also compliant ethically.'***

Other experts highlighted that different groups of young people with insecure status are underrepresented to different extents due to their eligibility for student finance or the extent to which they are considered an 'attractive recipient' of scholarship support. As Nick Watts, Founder of Together with Migrant Children, explains:

> ***'When you look at the different groups of people, refugees are by far the legally easiest to get to university because they've got eligibility into everything as recognised refugees. Asylum seekers are not accessible for student funding, but very attractive on bursaries and grant applications. And then, you have the main group we work with, who's everyone that's got limited leave to remain, or no leave to remain. And they really struggle. It's out of reach for pretty much all of them at that point.'***

Nick also highlighted that the majority of young people they interact with do not go to university despite having high aspirations:

> ***'Most of the young people who we work with who we see into adulthood... They don't go to uni, that vast majority. Most of our kids are like, "Yeah, I want to go to uni. And I want to study this." And then, they're told that they can't because they can't afford [the fees] out of their already destitute bank account.'***

6 Barriers to HE access

This section of the report explores the barriers to accessing HE faced by young people with insecure immigration status, through the lens of uncertainty. Uncertainty lies behind many of the barriers we discuss, and is a common feature of the lives of all groups of young people with insecure status. Likewise, the barriers to HE access faced by these young people also revolve around uncertainty. Pre-migration trauma, poverty, an inability to navigate complex systems, receiving conflicting or incorrect advice, and changes to a young person's status, all link back to the theme of uncertainty.

In this section we firstly examine how uncertainty affects all groups of young people with insecure status. We then set out six main barriers to HE access:

- legal and systemic barriers directly related to a young person's status
- schools experiences characterised by a lack of understanding or support
- poverty
- language proficiency and qualifications
- poor mental health and complex emotional needs
- current HE admissions and widening participation practice.

As well as impacting on HE access, the barriers discussed in this section also limit young people's experiences of HE, and the outcomes they achieve at the end of their studies.

Throughout, we highlight the interrelated nature of all these barriers. Lambrechts (2020) coins the term 'super-disadvantage' (p.805) to describe the interlinked nature of these barriers to HE access. 'Super-disadvantage' also describes how the specific conditions related to immigration status exacerbate other barriers which are shared with all disadvantaged groups, such as poverty. While Lambrechts' research focuses on refugees, our research finds that the way in which barriers to HE 'not only accumulate but also inter-relate and exacerbate each other' (ibid., p.805) is common across all groups of young people with insecure immigration status.

6.1 Uncertainty

Uncertainty is built into the heart of the immigration system, with long waits for decisions upon which applicants have little agency, rendering individuals uncertain about key aspects of their future.

Certain statuses, such as having limited leave to remain, provide only temporary legality, trapping young people and their families in a state of limbo. Even in the case of arguably the most vulnerable migrants, unaccompanied asylum-seeking children, the system imposes unstable statuses: Unaccompanied Asylum-Seeking Child leave (UASC leave) is the most commonly assigned form of leave for this group and lasts for either 30 months or until the child is 17 and a half years old, whichever is shorter (Coram, 2017; Connelly and Pinter, 2015). The Refugee Children's Consortium highlighted that this leaves young people 'anxious and uncertain about their future and storing up problems until the young person begins their transition into adulthood, making it more difficult for them once they turn 18 years old' (2016, p.1). As Dexter, Capron and Gregg argue, 'a child's immigration status, or the immigration status of their parents, can affect every area of their lives' (2016, p.4).

Young people with more stable status, such as refugees and those with indefinite leave to remain, have an easier route to accessing HE and financial support. However, the uncertainty they may have experienced pre-migration and whilst securing their status can result in longer-term mental health issues that act as a barrier to accessing HE. Cange et al. (2019) discuss the prolonged uncertainty that accompanies asylum claims, highlighting the link between uncertainty and 'a multitude of stressors and poor mental health outcomes' (p.1). They suggest that the process of seeking asylum can have a stronger effect on mental health than pre-migration trauma, which in many cases is significant and relates to events such as torture, exploitation and trafficking.

While, in the existing literature, the impact of uncertainty generated by the immigration system has mainly been explored in relation to asylum seekers (see Cange et al., 2019), all groups of young people discussed in this report have faced or continue to face uncertainty and instability due to their immigration status. Where a young person's status is not secure, for example in the case of undocumented young people, asylum seekers or those with limited leave to remain, uncertainty is a constant feature of life. Young people find themselves unable to plan for their future not only because their access to support such as student finance is restricted, but also because the fundamental legality of their residence is under question.

In summary:

Young people and their families experience considerable uncertainty while navigating the immigration system. This uncertainty limits young people's ability to plan for their future and progress towards their goals. As some statuses provide only temporary legality, many young people live in a prolonged state of uncertainty which continues as they wait to meet the conditions that will allow them to progress to HE.

In addition, research suggests that the uncertainty generated by the immigration system can cause or exacerbates the issues explored in this report as barriers to HE access.

6.2 Legal and systemic barriers

This section explores how the process of gaining secure immigration status, and the lived reality of insecure status, impact on young people's access to HE. It sets out how a young person's immigration status can fundamentally restrict their right to apply for an HE place, and to apply for student finance. It also demonstrates how insecure status compounds many of the barriers shared with other underrepresented groups.

Young people with insecure status face many of the attitudinal, cultural and experiential barriers to HE participation confronting other underrepresented groups, such as Gypsy and Traveller communities, Black Caribbean boys and working class young people (Mulcahy et al, 2017; Baars et al. 2016; Stevenson and Willott, 2008). However, insecure status poses two key additional challenges.

Firstly, while other underrepresented groups face no official or legal barriers concerning their eligibility to apply for HE and student finance, the primary barrier to access for many young people with insecure immigration status relates to laws, policies and administrative systems which restrict their eligibility for home student status and student finance. Experts emphasise these status-specific factors as the most significant barriers to HE participation for young people with insecure status. Efforts to widen participation among these groups must therefore begin by campaigning for policy change regarding their right to access student finance. Tackling the other barriers in isolation will have little impact.

Secondly, status-related barriers and the nature of the immigration system compound the barriers that young people with insecure status share with other groups. For example, families with insecure immigration status are more likely to live in poverty, due to imposed status conditions such as having

no recourse to public funds[6] and high rates of unemployment[7]. The negative impact of poverty and material hardship on educational outcomes is well documented (Knowles, 2015; Shaw et al., 2016; Gadsby, 2017). In turn, financial hardship obstructs the expensive process of maintaining legal status especially in light of dramatic cuts to legal aid over the past decade (Amnesty, 2016).

For young people who have lived in the UK for the majority of their lives but do not have secure status, beyond their eligibility for student finance, they may not experience any barriers to their participation that differ from British citizens from similar backgrounds. However, when they are unable to access HE due to their immigration status, the experience of coping with an uncertain future creates additional barriers such as mental health issues (see section 6.6).

6.2.1 Access to 'home student' status and student finance

Higher education is expensive, both in terms of fees and living costs. Young people with insecure immigration status often face financial barriers to accessing higher education, including a lack of access to student finance.

For full-time home students, tuition fees are capped at £9,250 per year, but for international students the average cost is £11,000 and can be as much as £30,000 depending on the institution and the type and level of course (Coram, 2017).

Students charged international fees are not eligible for student finance and must fund their studies themselves or through scholarships.

Eligibility for home fee status and student finance varies depending on the status a young person holds. Young people granted refugee status and humanitarian protection status are classified as 'home' students and are eligible for loans and grants from student finance, as are students with indefinite leave to remain, subject to conditions[8]. However, students with limited leave to remain and asylum seekers may be classed as international students. Some young people with limited leave to remain can gain eligibility for home fee status under the 'long residence category'[9] which consists of two conditions:

- **The ordinary residency condition**: having been ordinarily resident in the UK, which means having held legal status while livingin the UK continuously, for three years before the first day of the academic year.
- **The long residency condition**: having lived in the UK for at least 7 years (if under 18), or at least half their life or twenty years (if over 18) (UK Council for International Student Affairs, 2019).

Young people who are undocumented cannot apply to university at all. They must first regularise their status and will then be subject to the conditions linked to their status, which will likely place them a minimum of three years away from eligibility to access HE as a home student.

Given that cost is a significant barrier to regularising status (Bawdon, 2019), high international fees render HE out of reach for most young people with insecure immigration status: often, the high cost of applying for status leads to families delaying immigration applications for their children. This makes

6 No recourse to public funds (NRPF) is a condition applied to individuals subject to immigration control, including asylum seekers and those with limited leave to remain, under Section 115 of the Immigration and Asylum Act 1999, which means they are not entitled to the majority of welfare benefits, including income support, housing benefits and tax credits. Education and healthcare are not subject to this restriction.

7 Non-EU migrants are more likely than UK-born nationals and EU migrants to be unemployed. In December 2019 the rate of unemployment was 5.53 compared to 3.62 (ONS, 2020).

8 Individuals with indefinite leave to remain must have been ordinarily resident in the UK (meaning they have held legal status) for three years prior to the course start date, see table 2.

9 Note, some confusion can arise from the fact that the term 'long residence category' includes both conditions: ordinary residency and long residency. Where we make reference to the 'long residency conditions' or the 'half your life rule' we refer only to the second condition. Where we refer to the 'long residence category' this covers both conditions that sit within the umbrella term and apply to people with limited leave to remain.

it more likely that a young person applying for secure status will not meet the three-year ordinary residence criteria before they leave school at 18. One young person we spoke to explained how despite knowing about their status throughout childhood, they were only now able to apply for status due to financial hardship:

> ***'I'm applying for university. But also, I don't have my leave to remain. I recently just applied [for status], because of financial reasons. My parents wasn't able to bring out the money, because they've been applying and applying for themselves. And it was hard for them to get the money for me as well.'***

When this young person is granted limited leave to remain, they will have to wait for three years before they are eligible for student finance.

Table 2 below summarises the eligibility for home fees and student finance of each different group of young people with insecure immigration status.

Table 2

Immigration status	Eligible for home fees	Eligible for student finance	Details and conditions of eligibility
Refugees	Yes	Yes	Once refugee status is granted, an individual becomes immediately eligible for home student and student finance support.
Humanitarian protection status	Yes	Yes	In 2019, individuals with humanitarian protection status (HPS) were subject to the three-year ordinary residence rule. However, this was overturned in 2020. HPS now grants immediate access to student finance support.
Asylum seekers	No	No	Asylum-seeking young people cannot access student finance, but they can access scholarship support.
Indefinite leave to remain (without refugee status)	Yes	Yes	If you have been lawfully, ordinarily resident in the UK for three years.
Limited leave to remain	In some circumstances (under the long residence category)	In some circumstances (under the long residence category)	Under the long residence category an individual with limited leave to remain may be eligible if: They have lived in the UK for either half their life (if aged 18-25), or for twenty years (if aged 26 or above) AND They have been ordinarily resident in the UK for three years prior to the course start date.[10,11] If a young person does not meet these conditions, they are not eligible for home student status or student finance support.
Undocumented	No	No	Young people who are undocumented must apply for a route to settlement first (see table 1). They will then be subject to the long residence category rule.

10 https://www.webelong.org.uk/am-i-eligible.

11 UK nationals are also subject to conditions in the long residence category. If a UK national has been living abroad they cannot attend university as a home student or access student finance unless they return to the UK for three years prior to starting their course. However, this situation is notably distinct from that of individuals with limited leave to remain or other similar statuses as these individuals must have lived in the UK, rather than abroad, for a long period of time in order to be granted limited leave to remain see section 0.

Even when students are eligible for home status and student finance they face considerable barriers evidencing their entitlement. Dami Makinde, Founder of We Belong, explains that the burden of proof for evidencing long-residence is exceptionally high. If a young person lacks evidence of their UK residence covering even short periods of time this could invalidate their eligibility. In addition, these young people are more likely to have faced circumstances such as frequent house moves which disrupt their ability to retain evidence of their residence.

> ***'It could even be an asylum-seeker who's been having to move from house to house ... and for some reason just lost documents for two months of their life... and that would be used against them and they would be rejected from Student Finance.'***
> Dami Makinde, Founder, We Belong

Gaining confirmation of eligibility can be a long, complex process. Some students may therefore find themselves in considerable debt if their home fee status and application for a student loan is rejected once they have begun their university course. Such a situation leads to students being liable to pay international fees for the time spent at university despite having no access to finance:

> ***'There's still a lot of people falling through the cracks. A lot of students are still going to university, finding themselves in debt because they don't qualify for Student Finance and they're realising they have to pay this overwhelming sum that they don't have the money to pay.'***
> Dami Makinde, Founder, We Belong

The process of understanding eligibility requirements and gaining eligibility places an additional strain on young people, often during their A-Level study. Often, young people are unaware of their status or the way it limits their access prior to applying for HE. Commonly, applying for HE brings their status and lack of eligibility to light. The role of HE admissions departments in supporting young people during this difficult process is further discussed in section 6.7.1.

While universities can award Sanctuary Scholarships and/or Article 26 Scholarships to cover tuition fees and living costs, these are often heavily oversubscribed and widen participation to a relatively small number of young people with insecure status (see section 6.7.2 for further discussion about scholarships).

6.2.2 Barriers to regularising status

As we set out in section 6.2.1, eligibility for home fees and student finance rests on a young person's immigration status. This suggests that the simplest route to HE access is to gain legal status. However, there are considerable barriers to doing so. Therefore, in order to understand the intractable nature of the barriers explored in the section above, we must acknowledge the barriers young people also face to regularising their status.

The hostile environment

In 2012 Theresa May, then Home Secretary, declared that she wanted to create a 'really hostile environment' for irregular migrants in the UK. Since the Windrush Scandal, this system of rules and restrictions has been rebranded as the 'compliant environment' despite little change in the policies (Liberty, 2019).

The aim of the hostile environment is to discourage people from coming to the UK, to stop those coming from overstaying, and to stop irregular migrants from accessing the essentials of ordinary life. In practical terms, it consists of a series of policies to deter migration which include measures to limit access to work, housing, bank accounts, and healthcare. It also includes immigration controls that require public authorities and service providers to demand proof of immigration status (Yeo, 2018).

Policies implemented under the hostile environment make it more difficult for individuals to gain legal and secure status and 'make it difficult, even for legal migrants with precarious status to remain in the country without devoting a lot of time and money' (McKinney, 2019). This reduces the likelihood that undocumented children will be able to regularise their status at an early enough stage to ensure they can access HE. Experts interviewed in this research emphasised that most barriers discussed throughout this report have their foundation in the hostile environment:

> ***'If you go to the root of it, that's what's causing all these problems. If you go to the root of it, it's the hostile environment that excludes them, it's the hostile environment in the way the immigration law is written, that excludes young people from [higher education]. Therefore, if you get rid of that, you get rid of all the other stuff underneath it, in terms of the legal barriers.'***
> Nick Watts, Founder and Director of Together with Migrant Children

Home Office fees and legal aid

Applying for legal status through the UK immigration system is expensive, often prohibitively so. Since 2013, Home Office fees have increased by 45% (Connolly, Crellin and Parhar, 2017).

While fee waivers are sometimes available, such as in the case of renewing limited leave to remain (which is required at 30 month intervals), fee waiver applications must be made by a lawyer and thus require access to legal aid. In 2012, The Legal Aid, Sentencing and Punishment of Offenders Act removed the automatic entitlement to legal aid on the basis of financial eligibility to all non-asylum immigration claims. This represented a reduction in the availability of legal aid for immigration cases by approximately 60%. In addition, the reforms reduced the amount paid to lawyers providing legal aid. Combined, this led to a significant reduction in the amount of legal aid available and 'legal aid deserts' (p.1) in some areas (Burridge and Gill, 2016). Just prior to this, two of the largest immigration support services, Refugee and Migrant Justice and the Immigration Advisory Service, were closed. The collapse of these organisations was linked to changes to legal aid (*ibid)*.

Now, a non-asylum case requiring a fee waiver must make an exceptional case funding application simply to access legal aid. This process is itself complex and requires legal support, which is unfunded. The Children's Society reviewed the impact of the 2012 Act on unaccompanied children in 2017, concluding that:

> ***'Sweeping changes made to legal aid provision for immigration cases have put some of the most vulnerable children in this country at serious risk and unable to get the help they need... This has cut off children from the justice system, often leaving them alone and unable to pursue their immigration claim.' (Connolly, Crellin and Parhar, 2017, p.6)***

In 2018, legal aid eligibility was restored to unaccompanied minors. However, for all other non-asylum immigration cases, gaining access to legal aid remains a difficult and complex process, often requiring support from overstretched charities.

Even as an individual reaches the final stage of the immigration process – applying for citizenship once they have been granted asylum or indefinite leave to remain – they face high fees to become a citizen, for which there is no fee waiver. While holding indefinite leave to remain, often referred to as settlement or settled status, affords an individual many rights, a degree of security and some escape from uncertainty in comparison to limited statuses, citizenship provides greater rights and security. Without citizenship individuals are excluded from democracy as they are not eligible to vote, are at greater risk of deportation and face restrictions on their right to work in certain sectors (The Migrant Observatory, 2020).

While gaining citizenship provides greater certainty than indefinite leave to remain, citizenship fees in the UK are amongst the highest in the developed world. In 2019 the price of adult citizenship was £1,330,

despite processing fees only costing roughly £372. While the effect of fees on citizenship applications is hard to measure, a 2019 report by the Independent Chief Inspector of Borders and Immigration found serious concerns amongst lawyers and applicants about the impact of high citizenship fees (The Migrant Observatory, 2020). Furthermore, in 2019 the High Court ruled that charging a citizenship fee of over £1000 to children is unlawful and is 'pricing children out of their rights' (McKinney, 2019).

Ultimately, the fees attached to gaining or maintaining legal status, combined with a lack of access to legal aid to waive these fees, makes it extremely challenging for families and young people to ensure that a young person is eligible for student finance by the time they apply to HE. A young person has no autonomy over whether their family is able to afford fees or access legal aid, and will face considerable delays to their education if these factors impede them from gaining granted status.

In summary:

Legal and systemic issues related to immigration status are the primary barriers to young people's access to HE. Certain statuses restrict young people's right to access HE, their eligibility for home tuition fee status or their eligibility for student finance support.

- Asylum seeking young people are not eligible for home fees or student finance until they are granted either refugee or humanitarian protection status.
- Undocumented young people are not able to apply to HE as they do not hold a legal status. They must first regularise their status through an application for limited leave to remain.
- Young people with limited leave to remain must have been ordinarily (lawfully) resident for three years prior to the start of their course and have lived here for half their lives, under the long residence category conditions, to be eligible for home fee status or student finance. This excludes young people who have recently gained lawful status and results in them facing long delays to begin their HE journey.
- There are financial barriers to regularising status, including high fees and a lack of access to legal aid. These challenges result in families being unable to ensure their children maintain the legal status that would allow them to later access HE and student finance.

6.3 Experiences of school

In the UK, all children of compulsory school age are entitled to full-time education, irrespective of their immigration status (Coram, 2017). Young people's experience of school impacts their attitudes towards education and their attainment, and consequently their ability to access HE. This section examines school- and system-level factors that can affect the experiences of young people with insecure status during compulsory education.

At a school level, young people with insecure status, particularly recent migrants, may be held back by low teacher expectations and insufficient support to achieve their aspirations (McBride, 2018; Peterson et al., 2017; Elwyn et al., 2012; Stevenson and Willott, 2007). Meanwhile at a system level, accountability pressures, a lack of resources and policies which place pressure on particular geographical areas can leave schools unable to support refugee and asylum-seeking young people sufficiently.

Not all groups of young people with insecure status are equally likely to have a school experience which creates barriers to their progression. Young people who were born in the UK or moved here when they were young but are undocumented or have limited leave to remain are likely to think of themselves as British (Coram, 2020) and have an advantage regarding their ability to navigate the system in comparison to recent migrants. They are also more likely to speak English as a first language, and less likely than asylum seeking young people to have experienced trauma that makes it difficult to engage with education. As a result, the majority of the research we consider here relates to refugees, asylum seekers or recent migrants.

6.3.1 School-level barriers

Research finds that young people with unsettled status are often highly aspirational (Bawdon, 2019; Alberts and Atherton 2017; Elwyn et al. 2012; Morrice 2009; Stevenson and Baker 2018; Stevenson and Willott 2007) and none of the experts we consulted considered low aspirations or negative attitudes to be a barrier. Furthermore, young people who migrate to the UK tend to be more likely to believe that school can support them to succeed than young people born here (Burgess & Heller-Sahlgren, 2018). However, previous research with young asylum seekers and refugees has found that many feel they are not supported and encouraged in their aspirations, with young people reporting that schools and higher education institutions (HEIs) did not expect them to progress to HE or support them to do so (Lambrechts, 2020; Elwyn et al., 2012; Stevenson and Willott, 2007).

There is some evidence that some teachers may hold low expectations of refugee or asylum seeking pupils (McBride, 2018; Peterson et al., 2017; Elwyn et al., 2012; Stevenson and Willott, 2007). While there is a paucity of research on young people with other types of insecure status, experts emphasised that given that all groups of young people with insecure status are likely to be from BAME backgrounds, they are subject to racism, including low expectations (Millard et al., 2018; Shaw et al. 2016). Indeed, young people involved in this research reported being subject to low teacher expectations either because of their race or because they had recently arrived in the UK.

Low expectations or a lack of understanding regarding immigration statuses can lead teachers to give advice and guidance which steers young people with insecure status away from HE. Stevenson and Willott find that young refugees who were not given support and advice during their education made GCSE and post-16 choices which 'effectively prevented them from progressing to their career of choice or subsequent courses, particularly at the higher education level' (2007, p.676).

This finding was echoed by steering group experts who reported that unaccompanied asylum-seeking children are particularly vulnerable to poor advice and low expectations. Ben Hudson, a lecturer, spoke of having worked with young people who were told at age 13-14 not to pursue HE routes. These young people therefore made subject and qualification choices that closed down potential HE pathways, despite having gained refugee status and therefore eligibility for student finance.

In cases where teachers do hold high expectations for young people with insecure status, it can be challenging to ensure young people's previous qualifications, gained overseas, are recognised. As Rebecca Murray, explained:

> ***'You see children, young people coming into this country and there's just been a failure to acknowledge or recognise the level at which they're at. There's a lot of racism throughout education... I've spoken to teachers or people who have been involved in assessing children and talked about the challenges they face in trying to get the academic merits of these children recognised.'***
> Dr Rebecca Murray, Postdoctoral Research Associate at The University of Sheffield

Mercy took part in our youth focus group. Her story, presented here in her own words, exemplifies how young people who arrive in the UK in the middle of their schooling can be hindered by low teacher expectations. Mercy's experiences also demonstrate how one-to-one support from teachers can be crucial in allowing young people with insecure status to realise their aspirations.

Mercy's story – The role of high teacher expectations and support

'It was a bit hard in secondary school because the way the system was, they just automatically assume if you're bright or not, because I started year six, so I didn't sit my SAT exam…when I got into secondary school, they were just putting me in set four, set four, set four, set four. And I was like to myself, "I'm not stupid. Why am I mostly in the lower set?" And I think this impacted my confidence… I was very self-conscious.

I had a situation with a teacher who happened to be my tutor and who said to me I would never get past a grade C or whatever in English. So they would always put me for GCSE foundation, foundation, foundation. And I'm always like, "I can do better than this. What the hell?"

I mean, I didn't have an issue with English because English was my first language. Even at home, my parents didn't speak any other language than English.

I literally was like, "I'm going to prove you wrong." Because one thing about me is if you tell me I can't do something, I'm then going to have to prove you wrong.

So we had a mock test one time and I got a B. So he was then like, "Oh! I'm going to have to move you to set one." And I was like, "About time."

I then got support from my set one English teacher, because I explained to her "You just need to explain something to me and I'm pretty sure I can get it from there."

So then, that was where I got most of my support from, from my set one English teacher and my religious studies teacher. I guess that's why I then went to college to study religious studies and English language and literature because of the support I got from those two teachers.'

Nick Watts, founder of Together with Migrant Children, explained that teachers' desire to support students with insecure status is often hampered by a lack of understanding of their situation and the complexities of the immigration system and student finance:

> ***'Individual teachers that I've met all have a deep concern for these young people, but they're limited by the fact that this is just not a discussed subject… the migrant rights sector, it's so closed and so niche and it's really hard to get people outside of that to listen to this sort of thing.'***

While teachers cannot be expected to be immigration experts, schools are frequently the frontline of support when young people face barriers to HE due to their status. For instance, some young people are unaware of their immigration status, and their eligibility for HE and student finance, until they attempt to apply to HE while at school. Greater knowledge of these issues among school and college staff would help to avoid the disruption that young people can encounter when they begin to take steps to access HE in the UK (see section 6.2).

6.3.2 System-level barriers

Schools' ability to support young people with insecure immigration status – in particular refugees and asylum seekers – is constrained by key features of the education system and wider immigration policy. Research highlights that accountability pressures and a lack of resources, coupled with policies which disperse migrants to unprepared areas across the country, can lead to schools being reluctant or unable to support recently-arrived migrants.

Accountability and resources

A context of high-stakes accountability creates considerable pressure on schools and leads to a reluctance to accommodate and support pupils with high support needs, including young asylum seekers and refugees (McIntyre and Hall, 2020).

School leaders report a reluctance from some headteachers to admit pupils, suggesting that these schools pressure newly arrived young people to go to other, undersubscribed schools which are more likely to be in special measures and are seen as a 'dumping ground' (ibid., p.15) for asylum seeking young people. McIntyre and Hall's research also finds that headteachers leading schools with high numbers of asylum-seeking young people can be reluctant to enrol more due to the impact on their outcomes, even when they have a strong desire to support young people with insecure status.

In order to effectively support young people with insecure status – particularly asylum seekers and refugees – schools need additional specialist staff, who can be hard to recruit and often cannot be accommodated within stretched budgets (McIntyre and Hall, 2020). Teachers report finding it difficult to navigate information about immigration in order to support pupils as there is limited training available to upskill them in this area and researchers recommend the need for national training provision on how to support these pupils (Reakes, 2007). However, training requires an investment of resources and costs and funding issues are the primary challenge highlighted by schools and local authorities (LAs)' in relation to supporting asylum seekers and refugees (Kendall, Gulliver & Martin, 2007).

Unprepared systems

In order to alleviate pressure on services in some areas, refugee and asylum-seeking young people and their families may be 'dispersed' to areas of the UK that do not typically receive and accommodate large numbers of asylum seekers (Reakes, 2007; Hek, 2005). This also causes significant disruption to children's education as they move around the country, and can increase the chances of migrant young people experiencing isolation and racism (Hek, 2005).

Areas with little existing infrastructure to receive migrants may not be prepared to support these young people, which can have a considerable negative impact on their education (Reakes, 2007). Some LAs which receive dispersed migrants are unprepared to meet both the practical needs of these families and young people, such as securing them an appropriate school place and ESOL provision, and more complex needs such as social and emotional support. Ofsted inspections found that some LAs 'had few procedures and structures in place to support schools, and basic systems of information had to be established quickly with no prior experience' (Reakes, 2007, p.93).

While dispersal policies aim to relieve pressure on some areas, particularly London, due to a lack of housing, placing migrants in areas with greater housing availability that are otherwise unprepared to support families and young people creates additional issues. Therefore, if people are to be moved to specific regions, these areas must be provided with adequate resources for local services and schools to allow them to support families and young people.

In summary

Young people's experience of school impacts their attitudes and attainment and consequently their access to HE. There are both school- and system-level factors that affect the school experiences of young people with insecure immigration status.

At a school-level, despite high aspirations and positive attitudes some young people with insecure immigration status report not receiving the support they need. Low teacher expectations or teachers' lack of understanding of immigration statuses and eligibility for HE can result in young people being given poor advice or guided towards qualifications that do not support their progression to HE. Where teachers do support young people with insecure status, as many do, they struggle to understand the immigration system and its implications.

On a system-level, schools' ability to support young people with insecure status is limited by accountability pressures, a lack of resources and policies which disperse migrants to areas which are unprepared to meet their needs. This is especially the case for those who are more likely to have complex needs, such as recently arrived asylum seeking young people.

6.4 **Poverty**

As with many underrepresented groups in HE, poverty acts as a significant barrier to HE access for young people with insecure immigration status. The impact of poverty on educational attainment, engagement with education and access to HE information is well documented across many different groups (Knowles, 2015; Shaw et al., 2016; Gadsby, 2017). This section explores the greater prevalence of poverty among families with insecure status, the vicious cycle of poverty, uncertainty and insecure status, and the impact this has on young people's education experiences and access to HE.

Almost half of children with foreign-born parents are living in poverty, making up a quarter of all children living in poverty (Vizard et al., 2018). This can be due to a range of factors, including:

- having no legal right to work as a result of restrictions attached to their status
- working in low-income employment, sometimes due to home country qualifications not being accepted in the UK
- inadequate and precarious housing
- a lack of free legal immigration advice and support.

In addition, some families with insecure immigration status may also be subject to a No Recourse to Public Funds (NRPF).[3] condition which means they cannot access mainstream benefits or housing assistance (Coram, 2017).

Young people with insecure status experience poverty for many of the reasons that other groups of young people do. However, there is a vicious cycle linking poverty and insecure status. Living with precarious and restricted status can lead directly to poverty, and in turn poverty traps families in a state of uncertainty as they are unable to fund the high Home Office costs of regularising their status, as we set out in section 6.2.2, (Bawdon, 2019). Among those that do manage to fund applications for secure status, young people reported their families experiencing a 'surge of pressure' (ibid., p.17) when renewal was due, with families often having to move into cheaper, unsuitable accommodation or being pushed into debt, creating instability and stress. Bawdon concludes that 'a harsh, unforgiving immigration system… condemns even the hardest-working families to at least a decade of intense financial strain' (2019, p.5).

Restrictions to entitlements such as Free School Meals[12] can negatively affect the attainment and engagement of young people with insecure status (Sigona and Hughes, 2017). Experts we interviewed highlighted that uniform and school trip costs can be prohibitively expensive, limiting young people's access to a holistic education experience. In addition, experts noted that poverty and destitution are particularly likely to affect the experiences of young people with insecure status over a longer time period as their families are not only more vulnerable to poverty, but also less able to access support if they are destitute:

> ***'We do see dips [in attainment] after there's been quite extreme periods of destitution… the period that kids are suffering like that is much longer than that of a British national child because they can't just go over to the housing office and get temporary accommodation there and then.'***

This was echoed in the experiences of the young people we spoke to, some of whom had experienced poverty and hardship which impacted their ability to engage in education. One young person described the multiple times her family had been homeless due to their immigration status and the impact of this on their education.

> ***'So in 2013, we got evicted from our home. So that was just a disaster. It was so horrible. I started secondary school in 2014. In 2015, my mum gave birth. And it was just really hard during that time,***

12 Where parents have No Recourse to Public Funds conditions attached to their immigration status, children and young people are not eligible for free school meals.

because we're living in a one-bedroom apartment, it was just hard for me to focus on my school work and everything. I thought it was hard that time, but it got worse, the same year, immigration visited our home. And I was lucky. Nobody got detained. But it was a horrible year for me. And I just didn't want to go to school. I didn't feel like doing anything at that time... we got evicted from our home, and we were very close to becoming homeless again.'

Beyond school, poverty intensifies the financial barriers to accessing HE. Where a young person is classed as an international student and is unable to access student finance, their increased risk of poverty means they are less likely to be able to fund their studies from their own resources. Where families do have access to private resources to fund HE study, the precarity of their status and the expense of maintaining legal status can absorb these funds as the example below illustrates.

Self-funding higher education with insecure status

Nick Watts, founder of Together with Migrant Children explained a recent case highlighting how living in poverty with insecure status can make overcoming financial barriers to HE near-impossible.

Nick is currently working with a family in which the oldest sibling, at 18 years old, is unable to access student finance under the long residence category despite holding legal status. Knowing this, the young person has worked to save money since the age of 16, having saved over ten thousand pounds to fund his first year at university.

His younger sibling is receiving treatment for leukaemia, and holding legal status is therefore of particular importance as it allows the family to access treatment.

When the family's limited leave to remain status was due for renewal, which occurs every 30 months, the family applied for a fee waiver as they could not meet the cost of the application. Nick explained:

'They have to put an application into the Home Office [for a fee waiver]. And the Home Office turned around and go, 'You have to use your son's money, the 10,500 grand means you can't have a fee waiver'...the Home Office look at all the money in the family, they don't care if it's for this boy's university education. They don't care if it's leukaemia treatment money. And so this kid had to spend all the money he'd saved for one year at university, on regularising their parents' status.'

For this family, and many others, this is a long-term problem as they must repeat this process four times over ten years, and are only able to access a fee waiver if they are otherwise destitute. After ten years, in order to escape this cycle of renewals, they must pay the higher cost of applying for indefinite leave to remain, for which theire is no fee waiver.

Nick explained that he has worked on over a dozen cases where Home Office fees have impeded a young person's attempt to fund their studies.

In summary

Young people with insecure immigration status are at greater risk of living in poverty. This is due to either status-based restrictions on benefits and their parents' right to work, or, where parents can work, a lack of recognition of their qualifications forcing them into low paid employment. In turn, this creates a vicious cycle in which poverty can limit a families' ability to meet the costs of maintaining legal status.

Poverty and the stress of maintaining precarious status at a high financial cost has a negative impact on young people's ability to engage in education. In some cases, poverty results in families being unable to maintain children's legal status meaning that when young people leave school and seek to progress to HE they face status-based restrictions (explored in section 6.2).

6.5 Language proficiency and qualifications

Gaining either sufficient language proficiency or the qualifications to evidence this proficiency can be a barrier to HE access for some young people with insecure status – primarily those born outside the UK or another English-speaking country. Both the lack of language provision for migrants needing to learn English and inflexibility regarding language qualifications accepted by HEIs creates barriers and delays to HE access.

The likelihood that migrants speak English on arrival varies dependent on their country of origin. Many refugees are multi-lingual but do not speak English on arrival to the UK (Stevenson and Willott, 2008). Other studies estimate that among some groups of refugees, approximately half have no English skills when they arrive in the UK (Stevenson and Willott, 2008; Kirk, 2004). However, experts we spoke to highlighted that many migrants, for example those from Nigeria, choose to come to the UK because they speak fluent English and have been educated in English in their countries of origin. Arriving in the UK as a child or teenager without being able to speak English can have a significant and long-term impact on a young person's experience of school and their attainment (Hamilton, 2012).

Although asylum seekers and refugees are currently eligible for free English as a Second or Other Language (ESOL) classes, there is a lack of adequate provision. Research by Refugee Action found that cuts to funding for English classes for refugees is leading to isolation and difficulties finding work (Refugee Action, 2020). Experts in our steering group explained that improving language provision in further education institutions would be an important first step to improving HE access.

Expert interviewees highlighted that being unable to speak English has clear implications for young people's educational attainment, particularly for those arriving in the UK during adolescence. This has a subsequent impact on their access to HE.

> ***'I have worked with students who may have come to the UK when perhaps they were 16, they've really struggled with language barriers... that has therefore had a knock-on effect on their grades. It's not because they're not capable and that they don't have the ability to get good A-Levels, but because they are learning English at the same time... then they've not necessarily got the proof that they need to take to universities to get onto their chosen degree course.'***
> Isabelle Habib, Senior Access Officer at Birkbeck, University of London

Matt Blacker, Head of Programmes at Hope for the Young, suggested during our steering group discussion that a lack of proficiency in English can make students worried about applying to and attending university.

Regardless of a young person's proficiency in English, gaining the appropriate language qualifications can also be challenging. Though some HE institutions accept a wide range of qualifications, some demand that students complete an International English Language Testing System (IELTS) qualification, despite there being over 40 English language qualifications listed by UCAS (Stevenson and Willott, 2008). IELTS courses are expensive and the qualification lapses after two years. In cases where a student's access to finance is delayed, they may have to retake and pay for the exam again. Experts explained that in some cases retaking the IELTS had delayed young people's entry to HE or restricted their access to a scholarship:

> ***'IELTS scores do lapse and you have to retake exams, which means you have to repay. So then you've missed out on a scholarship, because they are quite limited, and you've got to wait till the following academic year.'***
> Emily Crowley, Chief Executive at Student Action for Refugees (STAR)

In summary

Acquiring either sufficient English language skills or the qualifications to evidence this can form a barrier to HE access for some young people with insecure immigration status.

English proficiency varies considerably across different groups of young people with insecure status. Many spoke English in their country of origin or have lived in the UK since birth or early childhood. Others, speak no English at all on arrival to the UK and struggle to access ESOL classes as provision is limited and patchy. This has clear implications for their ability to engage with and succeed in compulsory education.

Even where young people with insecure immigration status have strong English skills, a lack of flexibility in HE admissions processes coupled with high costs of gaining official qualifications forms a barrier to HE access. Commonly, universities require an IELTS qualification. Not only is this expensive but it lapses after two years. Thus, where young people face multiple barriers or delays in accessing HE, a lack of flexibility from HE admissions teams means they have to repeat the qualification or risk missing out on a HE place.

6.6 Emotional needs and poor mental health

For young people with insecure immigration status, poor mental health and barriers to accessing to HE can be mutually reinforcing. Young people with insecure immigration status are more at risk of mental health difficulties either due to their pre-migration experiences or the uncertain nature of their status. Poor mental health can limit educational attainment and close down pathways to HE (Bawdon, 2019). In turn, when a young person's access to HE is limited by their immigration status, this can have a negative impact on their mental health.

All groups of young people with insecure immigration status are more at risk of poor mental health either as a result of experiencing trauma, persecution and violence in their countries of origin or due to the uncertainty and stress of navigating the immigration system (Cange et al., 2019; Close et al., 2016; Stevenson and Willott, 2007; Fazal et al., 2005).

Asylum seekers and refugees are likely to have experienced trauma resulting from violence, persecution, and exploitation, as well as the dangers of the journey to the UK. As a result, the mental health needs of refugees and asylum-seeking young people are of particular concern (Close et al., 2016). Adult refugees and asylum seekers have been found to be at increased risk of anxiety, depression, suicide, and post traumatic stress disorder (Stevenson and Willott, 2007). Schools, especially those in areas to which refugees are dispersed, can struggle to provide adequate support for pupils with such complex mental health needs (McIntyre and Hall, 2020; Stevenson and Willott, 2007).

Rutter (2001) notes that refugees seeking asylum continue to experience trauma in the UK, through stress, poverty and social isolation. The asylum system, which involves long waits and uncertainty can cause or exacerbate mental health issues (Cange et al., 2019).

For non-asylum-seeking migrant groups and UK-born young people with insecure status, the precarity of their immigration status can lead to poor mental health and psychological distress (Bawdon, 2019; Newnham et al., 2019; Cange et al., 2019). The cycle of uncertainty brought about by the need to regularly renew temporary forms of status mean that even once applications are successful the detrimental impact on mental health continues (Jarrett and Makinde, 2020; Bawdon, 2019).

Poor mental health impacts negatively on HE access in a range of ways (Stevenson and Willott, 2007). Firstly, poor mental health can limit a young person's ability to achieve the grades they need to access HE. Secondly, young people and their families frequently make choices about education while under stress and without adequate support, leading to young people missing out on qualifications needed to access HE. These findings were echoed by experts in our steering group who highlighted that where young people have very complex mental health needs they will not be able to engage in education:

'We see quite a lot of young people who have very poor mental health and quite poor engagement with things... they start going to education, and then don't cope very well with it. So be that trauma related, be that suicidal ideation, be that more psychotic-type episodes... you can't engage with an education, when that's not fixed.'

Nick Watts, Founder and Director of Together with Migrant Children

Where a young person's ability to access to HE is impaired by mental health issues, a cycle of restricted access and poor mental health can take hold. Expert interviewees consistently highlighted that young people's inability to access HE due to their immigration status impacts negatively on their mental health:

'Mental health has been a really big issue among young people trying to access student finance and realizing that they can't... Because education is so important... [it's seen] as a key to success... When young people feel like they're being prevented from doing that then it does something internally with them where they feel like they can't cope, or what's their future going to look like.'

Dami Makinde, Co-Founder and Co-CEO of We Belong

The young people we interviewed frequently mentioned the impact that the immigration system, their uncertain status and the consequences for their access to HE had on their mental health. The young people who took part in our focus group felt deeply frustrated at having their pathway to HE blocked:

'It feels absolutely shit. I suffer from anxiety...I'm on medication...So that added anxiety for me and my family... And for me personally, it was really hard to struggle because I did do very well at sixth form. I came out with the second highest grade in my whole sixth form cohort. So imagine not being able to go to university and everybody telling you, "Oh! What uni are you going to?" ... And now me just finding out that all my friends have either graduated, finished their masters, and doing big things, and I'm still here thinking, "When am I going to get a drivers license?" Mentally, it has a big impact on me.'

Young person 1

'All I can say is we have a lot of anxiety and we go through all this, being limited and being blocked and having all these obstacles. And then when we finally get our limited leave to remain, oh, great. It's great. This whole thing has been lifted, but no. You have to go through student finance who are very, very hard on people because of status. And then you have to go through the universities, and the universities not understanding'

Young person 2

'It's stressful, definitely stressful. It's like you're fighting for something and fighting for something. And then you finally get it, and then someone else tells you, 'Oh! Just because you have this, it doesn't mean you can reach what you're trying to achieve.'"

Young person 3

The immigration system continues to have a negative impact on young people's mental health after they have progressed to HE. Isabelle Habib, Senior Access Officer at Birkbeck, University of London, noted that students experience considerable stress as a result of manging studies alongside their immigration case:

'If you've got an ongoing asylum case, if you're having to go to regular Home Office interviews, if you're experiencing issues [with your status]... As much as a student is driven and will succeed really well, you never know when those type of things are going to affect you. It's always part of the culture of it. They'll come to university and they'll really do well, but there will be times where their mental health might be suffering as a result of [their status].'

Dami Makinde, Co-Founder of We Belong also highlighted that when young people with insecure status experience mental health difficulties while in HE, for instance leading to self-harm and panic attacks,

they often do not access university support services. She argued that universities must better publicise available support to these groups of young people in particular:

> ***'If those services are there then the universities aren't making that clear enough, they're not making it accessible for young people to understand that it's there.'***

In summary

Young people with insecure status are at particular risk of experiencing mental health issues. For some, poor mental health may arise as a result of trauma experienced pre-migration, or due to enduring the uncertainty and instability of living with unsettled status and navigating an unpredictable immigration system. This has a detrimental impact on young people's educational outcomes and their ability to access HE.

In turn, being unable to access HE, for instance because of restrictions to student finance, has a considerable negative impact on young people's mental health. This can create further barriers to accessing HE.

6.7 Current HE admissions and widening participation practice

In recent years universities have taken positive steps to widen participation to students with insecure immigration status, with efforts focused particularly on asylum seekers and refugees. Despite this, research identifies issues with HE institutions' current practice regarding admissions support. Poor information and advice and a lack of flexibility in admission requirements can create barriers to access for young people with unsettled status. In addition, although Sanctuary Scholarships successfully support some young people to progress to university, there is an urgent need to make changes to the application processes and the restrictions on who can access them.

6.7.1 HE admissions

Poor information and advice

Young people with insecure status face complex barriers to their eligibility for student finance (see section 6.2), and therefore need appropriate guidance and support to navigate the system. However, existing literature and our own research finds that young people are commonly given incorrect or conflicting advice, and feel isolated in their attempts to understand or prove their eligibility.

Existing research, which primarily focuses on refugees and asylum seekers, suggests that these young people commonly receive incorrect advice or insufficient support on student finance and, at an earlier stage of their education, the qualifications they should pursue (Elwyn, Gladwell and Lyall, 2012; Stevenson and Willott, 2007). As a result, young people may either not apply for university despite being eligible, or study for qualifications that do not allow them to pursue their preferred HE pathway (Stevenson and Willott, 2008).

Our expert interviewees suggested that this issue is not exclusive to refugees and asylum seekers and is perhaps even more likely to be experienced by young people with other, less widely understood statuses such as limited leave to remain. Too often, these young people receive inconsistent advice from schools, university admissions teams and Student Finance England advisors. When young people are given incorrect advice about their eligibility for student finance this can stop them applying for HE despite being eligible for finance, or lead to them progressing to university only to have their finance application rejected once they start their course (see section 6.2.1). As Dami Makinde explained:

> ***'I think that student finance need training... because oftentimes they give out wrong information. You would call them and they would say one thing and then you'd call them two days later and then you hear from somebody else saying something completely different. So there are massive, massive discrepancies.'***

Experts we spoke to reported that university admissions teams and Student Finance England's advisors sometimes applied the same judgments to all groups because they lacked an understanding of different statuses and their attached eligibility. As Kimberly Garande explained with reference to young people with limited leave to remain, including those that are eligible for student finance under the long residency category conditions:

> ***'I've had many experiences where young people were told different things by different staff members at universities or student finance, each time they enquired for more clarity on their situation. Young people [with] non-settled status face automatic ineligibility and complications in their applications because the student finance advisors and university staff don't fully understand the entitlements of different immigration statuses.'***

A specialist team within the Student Loans Company (SLC) currently offers training on student finance and supporting vulnerable young people (The Centre for Social Justice, 2019). Charmaine Valente, a Funding Information Partners Account Manager at the SLC explained that this training, available to HEIs, FE colleges, social workers, career advisors and other practitioners, often covers how immigration status affects student finance eligibility. However, universities are not obliged to take up this training and many do not. Furthermore, the specialist team's support is targeted at university staff and other practitioners, rather than applicants. This leaves a significant support gap for young people who do not have access to a well-trained advisor in their school or college.

Lack of flexibility/recognition

Many young people with insecure status will have completed some of their secondary schooling in their country of origin. While universities are able to employ a flexible approach to recognising different qualifications, many do not, creating an unnecessary barrier for many young people with insecure status.

Existing literature on the experiences of refugees reports their frustration that HEIs did not recognise their cultural capital or overseas qualifications (Stevenson and Willott, 2008). In the years since Stevenson and Willott's research, some institutions' practice has changed and HEIs take account of a large array of overseas qualifications. However, experts we interviewed felt that this remained an issue in some institutions, suggesting that some universities hold a deficit perspective regarding overseas qualifications or schooling, failing to recognise the cultural capital or skills that these young people may bring from other countries:

> ***'Their background, their language is all seen as a deficit. Those skills and abilities do not translate into the UK context. There's no bend in it. There's no room to manoeuvre. There's no malleability. It is a very one-dimensional understanding of what is success, what's ability... what's potential.'***
> Dr Rebecca Murray, Postdoctoral Research Associate at The University of Sheffield

Experts suggested that some universities are adopting more flexible processes to support young people with unsettled status and an interrupted education, without jeopardising academic standards and this practice should be taken up more widely.

6.7.2 Sanctuary Scholarships

Sanctuary Scholarships are forms of support that HEIs offer migrant students, usually targeted at refugees and asylum seekers who are classified as 'forced migrants'. The term Sanctuary Scholarships encompasses a range of support which universities can offer to enable migrants to access HE, including: 'reclassifying forced migrants as home students for tuition fee purposes, granting tuition fee waivers, and providing bursaries to help with living and studying costs' (Murray and Gray, in press, p.2; Murray, 2019). This support reflects a recent growth in HEIs' efforts to widen access to some groups of young people with

insecure immigration status, with seventy-two UK HEIs now offering support for forced migrants since Sanctuary programmes began in 2008 (Murray, 2019).

Sanctuary programmes have undoubtedly supported some young people to access HE who would not otherwise have done so (Lambrechts, 2020). Between 2008–9 and 2018–19, universities offered 754 Sanctuary Scholarships including tuition fee waivers and student support (Murray, 2019).

However, the existing literature and our own research identifies a range of issues with Sanctuary Scholarships. Firstly, research by Lambrechts (2020) outlines practical and informational problems with how the scholarship system is implemented. Applicants report a number of difficulties when applying for scholarships, including:

- A lack of consistency across different universities regarding their procedures for scholarship applications. Applicants described HEIs' application systems and selection criteria as difficult to understand and 'not transparent' (p.814).
- A lack of financial support with costs associated with the application and moving out of home.
- Requiring scholarship applicants to make their institution their first, firm choice often restricting young people to one scholarship application, despite intense competition means it is unlikely they will be successful. This leads to young people having to 'weigh [their] chances' (p.814) and base their choices on the likelihood of gaining a scholarship, rather than on their preferred institution.
- The level of maintenance support offered in scholarships being too low. As of 2018–19, very few (5) institutions offered scholarship support equivalent to the maximum maintenance loans available (Lambrechts, 2020; Antonucci, 2016).

Secondly, Sanctuary schemes can create an additional layer of exclusion (Lambrects, 2020) due to:

- a lack of available scholarships
- a culture of exceptionalism, and
- restrictions on eligibility.

Some universities offer no scholarships or only one Sanctuary Scholarship per year, and while some offer more, all programmes are heavily oversubscribed. This creates a culture of 'exceptionalism' where only students with top grades can access this support. Rebecca Murray explains that 'you could say that scholarships just perpetuate all of the inequalities that exist already for this group of students' explaining that this results in some young people being excluded twice, firstly from student finance support, and then excluded from sanctuary support.

In addition, as Murray (2019) notes, the quality of support on offer is highly variable and often restricted to students with more settled status, despite those students being more likely to be eligible for student finance. 2015–16 saw a rapid increases in HEIs' Sanctuary offers, driven in part by the refugee 'crisis', including large numbers of people fleeing the Syrian war. Universities became more likely to offer scholarships to migrants, in some cases targeting Syrian students specifically, with some universities restricting the offer of scholarships to students with refugee status, rather than dividing their allocation between migrants with different unsettled statuses. This practice excludes young people with other types of insecure status and reinforces a perspective that some young people navigating the immigration system are deserving of support while others are not. When interviewed, Rebecca Murray argued that this approach of separating out subgroups of young people with insecure status should be rejected in favour of the more inclusive approach to widening participation adopted with other groups:

> ***'I think this is a fundamental difference with WP [for this group] ...whereas other groups of students everything possible is done to include, but that does not always happen with this group. Instead, [universities] look for ways to exclude based on their immigration status or qualifications or other factors. Nobody will want to hear that and that's a very unpopular point of view but it's true.'***

In addition, experts reported that in some cases the treatment of scholarship students is problematic. During applications, young people find that they have to include details of their asylum claim in their scholarship applications depite the highly sensitive nature of such information. As Emily Crowley of Student Action for Refugees explained:

> ***'Universities [need to be] careful about what they're asking for because sometimes young people feel they've almost had to retell why they've claimed asylum in the UK as part of their application, and to justify why it should go to them... it should be made very clear that people should not be feeling that they have to do that because that can be retraumatizing.'***

Some experts also report issues with how scholarship students are treated once they join a university, with young people singled out to partake in promotional activities which may be viewed by students as an obligatory trade for the support they have received:

> ***'If you're lucky enough to get a bursary because you're a refugee, you're likely to be plastered all over their website as the one person they let in this year to have their better life. It's all just quite dehumanising... you're turning them into a product of the university, instead of their own human wonder that they are.'***
>
> Nick Watts, Founder of Together with Migrant Children

Finally, as Lambrechts (2020) asserts, the pressure on individuals to overcome a systemic barrier by accessing selective support is problematic. The scholarship approach to widening participation fails to drive the system-wide changes that are necessary to support the HE participation of young people with insecure status. Some experts we interviewed argued that the recent emphasis on Sanctuary support had shifted the focus away from long-term, systemic solutions, despite having provided opportunities for a minority of individuals fortunate enough to secure scholarships.

For those students able to access scholarships, this support makes a transformational difference to their opportunities and likely, their life outcomes. However, it cannot be positioned as a solution to the systematic barriers outlined at the beginning of section 6, nor to the experiential barriers explored throughout, and therefore, it is not enough. Whilst the rules of the system exclude young people on the basis of status and scholarships are limited, as Lambrecht concludes, 'thousands of people will endure exclusion from England's educational system, their potential and contribution untapped.' (p.815).

In summary

Despite a recent increase in universities' efforts to widen participation to young people with insecure immigration status, the research highlights weaknesses in institutions' current approaches and suggests improvements to practice to ensure better support for all groups of young people with insecure immigration status.

Firstly, much of the financial support provided through WP programmes for this group focuses on asylum seekers and refugees. Whilst important, this excludes young people with limited leave to remain who also face barriers to access.

Secondly, young people frequently receive unclear, inconsistent information and advice from HE admissions teams and Student Finance England and struggle to either understand or prove their eligibility for finance support. In addition, a lack of flexibility among HE admissions teams and a failure to recognise qualifications gained abroad creates a further barrier to young people's access.

Finally, although Sanctuary Scholarships support young people to access HE when they would not otherwise have done so, the research highlights a number of issues with the approach to scholarships and the way they are implemented. Issues include:

- Limitations on eligibility which exclude young people with limited leave to remain who are unable to access student finance.

- A lack of consistency between different universities' scholarship programmes.
- A lack of financial support with application costs.
- Practical issues with the application process.
- Insufficient levels of maintenance support.

Experts also argue that scholarships create a culture of exceptionalism which excludes many young people and furthermore fails to address the structural issues that create barriers to progression for these groups of young people.

7 What support and policy change is needed to widen access to young people with insecure status?

As outlined in section 3, young people with insecure immigration status face numerous barriers to accessing HE. During our focus groups young people were asked to complete a range of sentences explaining what they would change about the current system, and what support they would ask for. Some of their responses are below:

If I could speak to my teachers and universities about my immigration status, I would tell them...

'I would tell them to get more educated on the matter because it is scary and difficult to deal with this alone and at that age, let alone then trying to explain it to people and justify your experiences.'

'My life was put on hold for almost 5 years because of where I was born, even though my mum was settled in the UK. I would like them to be more aware of the struggles that we face even after we have status. The university don't have to block us like the government has.'

If I could speak to the government about this topic I would tell them to...

'I would tell them to be more compassionate. I understand that laws are there for a reason and to be adhered to, but this is about people's lives and futures and it makes us feel like no more than a number and certainly not a person with aspirations and dreams, when we are being told that we can't get the chances we need. Stop limiting us.'

'Provide help to students who are financially struggling because their parents cannot get a job because of their status and have no access to benefits. Also be more educated on the matter.'

'Look into the effect of the hostile environment they created for migrants. Understand that this is just destroying and hindering people's lives rather than helping the economy.'

If I could implement one policy change relating to this topic I would...

'Allow everyone to have access to higher education. It's not fair for someone to work extremely hard all their lives, put all their hard work and savings and then to be told you are not allowed to go to university.'

'My one policy change would be to that if you came to the country as a young child/minor, then you would be given access to all you need to lead a successful life, the same as your British counterparts; no extortionate fees, access to student finance etc.'

This section sets out the steps that need to be taken to widen access to HE for young people with insecure immigration status, based on the barriers set out in section 6 and the recommendations made by the young people and experts who took part in our research.

7.1 Immigration policy change

Both conditions of the long residence category criteria for home fee status and student finance eligibility should be removed so that young people become immediately eligible for student finance once they gain lawful status.

A lack of eligibility for student finance is the primary barrier preventing students with insecure immigration status from accessing HE (see section 6.2.1). Under current rules, young people with limited leave to remain must meet two criteria under the long residence category before they can access student finance:

- **Ordinary residence:** Having been lawfully resident (holding legal status) in the UK for three years before the start of the HE course date.
- **Long residence:** Having lived in the UK for half their life (if they are aged 18-25) before the course start date.

Most young people we spoke to felt these rules are punitive and stressful, and creates delays in their educational journey.

One young person explained how the rules left them feeling helpless and nearly pushed them to give up on their dream of studying medicine which they are currently still pursuing:

> ***'I almost gave up on wanting to study medicine because I knew that once I managed to get my leave to remain, I would be classed as an international student. And it's like, how am I supposed to pay up to 40,000 pounds per year? Physically, that doesn't make sense on a single mum's budget... I almost gave up on it because I just didn't think it was going to be possible.'***

Experts agreed that the rules need amending, particularly as the ordinary residency criteria does not take into account how long a young person has lived in the UK or the time spent navigating the system to regularise their status. Kimberly Garande highlighted how slow responses from the Home Office directly delay young people's education, leading We Belong to campaign for the ordinary residence, three-year rule to include the time a young person has spent trying to regularise their status:

> ***'The three-year criteria is restrictive and delays young people's futures, [it] doesn't count the years that you've been trying to regularise your status. It only counts from the time that your leave was granted. So, appeals, rejections, not having enough money, being priced out of legal status and facing financial strain, none of that is considered. For many children who have grown up in the UK and after a very long time finally granted leave by the Home Office...the countless years they would've spent trying to regularise their status are not counted.'***

However, relaxing the three-year, ordinary residency rule in this way, to include time spent on applications, would still leave young people waiting years to begin their HE journey. Students should therefore be entitled to pay 'home' fees and access student finance as soon as they gain lawful status – removing the three-year rule entirely. Although many young people who have limited leave to remain are likely to have lived in the UK for a large proportion of their life, as this is often necessary to be granted status, some may be blocked from accessing student finance if they do not meet the long residency, half your life, criteria. Therefore, we also recommend that this criteria is removed. In order to gain legal status, young people will already have established in their home office application that they live in the UK and should be able to continue to do so. There should not be an additional requirement on top of this in order to access student finance.

We believe this is the key change that will significantly improve access to HE for young people with insecure status.

There is a strong rationale and precedent for implementing this change. Delaying young people's education serves little purpose other than limiting the extent to which they can contribute to society.

As refugees are able to access student finance once they are granted status, there are systems in place to allow young people with other forms of leave to remain to do the same. Previous changes to the system such as the removal of the three-year rule for those with humanitarian protection status demonstrate that policy change in this area is not only desirable, but possible.

Universities should campaign for this policy change and leverage their power to support these young people

Murray and Gray (in press) argue that 'universities occupy a powerful position and can choose to exercise this to offer greater support to forced migrant students'. Experts we spoke to argued that this support should be extended beyond 'forced migrants' to include all groups with insecure immigration status.

Universities should work on campaigns alongside organisations that support young people with insecure status, adding their voice to calls for policy change. Isabelle Habib suggested that the universities carry critical influence:

> ***'I think that universities hold such power, actually. They do have a very strong voice nationally. I think that universities should perhaps do more to lend their support to campaigns that are going on, to things that are affecting students that are currently at their university as well. It's not just about prospective students, but it's also about recognizing that their current students are also being affected by it.'***

Similarly, Nick Watts argued that universities must be advocates for their students and prospective students, rather than complying too readily with systems which seek to close down opportunities for them to participate in society.

7.2 Support in schools, sixth forms and colleges

Schools and colleges should ensure that teachers and career advisors involved in supporting young people's decision making have sufficient knowledge of the immigration system, different immigration statuses, and young people's eligibility to access HE and student finance.

Teachers and careers advisers play a vital role in supporting young people with insecure status. However, a lack of knowledge sometimes leads to inaccurate and conflicting advice being given. It is neither reasonable, nor feasible, to expect teachers to be well versed in complex immigration law and student finance rules. However, a basic understanding of immigration status and eligibility would increase the chances of young people with insecure status receiving accurate, consistent advice as early as possible.

Experts we interviewed highlighted that schools are often not aware of their pupils' immigration status and its implications for their entitlements. Status-related barriers often become apparent only once a pupil begins their university application. As we set out in section 6.2.1, this can have two potential outcomes depending on the point at which their lack of eligibility for student finance is recognised:

- Young people cannot enter HE because they cannot access student finance and face a longer wait than they would have had the situation been identified earlier.
- Young people begin university only to find out later that they cannot access finance and are liable to pay the tuition fees.

All schools, sixth forms and colleges – particularly those located in areas with high numbers of young people who are undocumented or are migrants – should ensure at least one member of staff has a basic understanding of immigration statuses and eligibility for student finance. Schools and colleges should work with organisations that have expertise in this area, such as We Belong and Just for Kids Law to inform teachers and senior leaders about how they can support students with insecure immigration status.

7.3 Improved support around student finance

Student Finance England should:

- Provide further training for advisory staff or set up a specialist advisory team for applicants whose immigration status currently means they must prove their long residency.
- Provide accessible information and tools to support applicants, schools and universities to establish whether a young person is eligible for student finance.
- Be clear and concise about documentation required to prove lawful status and reduce the burden of proof required.

Young people and experts we interviewed explained that student finance advisors often provide inconsistent or contradictory information about eligibility for student finance for those with insecure immigration status, causing considerable delays in a young person's education (see section 6.7.1). While all advisory staff, including outsourced staff, are given training on eligibility, it is clear that the complexity of the system means that staff are still unable to consistently support young people to navigate the rules.

As a result, experts have called on Student Finance England[13] (SFE) to either provide further training and tools to support advisors or to create a specialist customer service team who can address all queries relating to immigration status and the long residence category. This would improve the consistency of information given to students and prevent unnecessary delays to young people's education. Currently, the specialist team within the Student Loan Company lacks the remit or the resource to support applicants directly (see section 6.7.1). Expanding this team to improve their reach and creating a specialist team to support applicants will require additional funding from the Department for Education (DfE).

Universities can categorise a student as a home fee student during their course application, before SFE confirms they will provide a loan. University and third sector practitioners highlighted that in some cases SFE reject loan applications after a university has granted a student home status and the student has started their course. This results in students suddenly facing large debts as they must cover fees for their time spent on the course thus far, without access to any finance support. Experts highlighted that the complexity and lack of transparency in SFE's decisions makes this situation more likely. Thus, SFE should provide greater clarity and tools to allow prospective students, parents and schools and colleges to understand eligibility.

Experts and young people interviewed also explained that the burden of proof placed on students to evidence their residence is too high, and that advisors need more training to ensure students are adequately supported with their applications. One young person commented:

'I just don't understand why they have such stricter procedures than Home Office do, it doesn't make sense just to access Student Finance. And for me, one thing that we would like to do is train their staff members on these issues because some of the documents that they're requiring make zero sense... [I] wouldn't get status without being in the UK for half your life so, [I was] very confused as to why Student Finance weren't accepting that.'

Young people also described how their student finance application could be refused on the grounds that there was a small time window for which they did not have evidence of residency. We therefore call on SFE to publish a single set of clear, concise guidance on the documentation required to prove lawful status. SFE should also take a more cooperative approach to working with young people and accept their proof of legal status as evidence of their UK residency. We acknowledge that the Student Loans Company will require support and guidance from the DfE in order to carry out this recommendation.

13 Student Finance England is a partnership between the Student Loans Company (SLC) and the Department for Education (DfE).

7.4 Support from universities to widen access

7.4.1 Admissions

Universities must ensure that admissions teams can provide support for young people with insecure immigration status by training all admissions staff or specialist advisors to understand immigration status and eligibility criteria.

There is a lack of knowledge amongst some university admissions advisors regarding different immigration statuses and their related fee statuses.

Kimberly Garande explained that admissions officers sometimes assume that all pupils that do not have British citizenship cannot apply for student finance, despite some students qualifying to receive it:

> ***'What I've noticed is, with people who don't have British citizenship or settled status, whether it's asylum, biometric, refugees, whatever, as soon as you put in that you don't have that British citizenship, it's almost as if it's automatic that you get the international fee status. Even if you might qualify for it, it's not until you say or explain the situation that you're granted home fees. But it's also important to note that it's not all institutions that are like this.'***

The young people we spoke to explained that when they contacted universities to enquire about their eligibility to study, they often received contradictory information. This makes the process of applying to university and accessing student finance confusing and stressful, even when a young person is eligible to do both. In some cases, conflicting guidance can create delays which stop a young person from starting their HE course as planned.

In order for universities to take an institution-wide approach to widening participation and supporting all young people, admissions departments must commit to supporting young people with insecure immigration status. We recommend that all admissions staff are trained to understand how immigration status impacts on a young person's access to HE and their eligibility for student finance. To do this, HEIs should take up the specialist training offered by the SLC (see 6.7.1), which covers some information about immigration status and eligibility.

In addition, where possible, universities should also employ dedicated admissions staff specialising in immigration status and eligibility, to support applicants and ensure that students have a single point of contact to receive consistent, accurate information and guidance.

Universities should be as flexible as possible regarding English language requirements and should hold pre-sessional courses for EAL students

Universities' language qualification requirements can present an unnecessary barrier to young people who are proficient in English (see section 6.5). Universities that require students to pass the IELTS exam should relax this requirement and accept all language qualifications listed by UCAS. Universities should hold pre-sessional English courses for students who need them, as part of their role in supporting prospective students.

7.4.2 Widening participation

Widening participation teams should include information and support for young people with insecure immigration status within their IAG events and resources.

Although many universities seek to support young people with unsettled status as part of their widening participation (WP) activities, some do not and many focus only on refugees and asylum seekers. Although young people who are undocumented or have limited leave to remain may be unable to progress to HE in the immediate future (due to the barriers explored in section 6.2), this should not exclude these young people from WP support and information, advice and guidance (IAG).

Emma Cox, an Advocate at The Children's Society, highlighted that often these groups are excluded rather than targeted due to assumptions made about their status.

> ***'In terms of what Widening Participation groups should do differently, would be to not take the easy way out and see people who have not got status as not their responsibility. Quite often, Widening Participation Groups will see people without a status and say "Oh you've not got a status, there's nothing we can do for you at the moment," whereas it should be "Okay, this is the issue that we're in at the moment so let's explore what we can do."'***

We recommend that WP teams invest in providing IAG for young people with insecure status. Although WP teams may not be able to target events and activities at this group, either because they cannot be identified or because the WP team does not have the resource to run a targeted programme, IAG that will support these young people can be disseminated through other WP activities, online and through schools. This IAG should:

- Explain that immigration status can affect whether an individual can go to HE and whether they can access student finance, and should signpost to further detailed information about this.
- Advise young people with non-settled status to begin the process of establishing their eligibility and gathering evidence early in the year before they want to progress to HE.
- Signpost to services and specialist staff who can support young people with immigration status-related queries and applications.

Providing targeted IAG will also allow universities to counteract the incorrect advice that young people may receive from different sources, including schools and Student Finance (see section 6.3.1 and 6.7.1).

7.4.3 Scholarships

Universities should widen access to scholarships to include all young people with lawful, but insecure, status.

As mentioned above, a lack of access to finance is the primary barrier young people with insecure status face when trying to access HE. While many universities are now offering scholarships for students, these are often restricted to asylum seeking young people and in some cases include refugees, despite this group being eligible for loans.

Universities should broaden their scholarships to include all young people whose access to student finance is restricted due to their immigration status. At King's College London, Sanctuary Scholarships include young people with limited leave to remain. Given that the scholarships exist to support young people not entitled to student finance, this should be the case across all institutions.

Universities that offer Sanctuary Scholarships should work with other Universities of Sanctuary to ensure a consistent approach and ensure that application processes do not create any additional barriers.

As explored in section 6.7.2, there are some issues with scholarship processes including young people having to make early, restrictive choices, applicants having to provide details of their immigration case and inconsistent processes across different institutions.

Concerns were also raised by experts about scholarships being used in a tokenistic way, suggesting that universities should avoid placing pressure on students who receive scholarships to take part in promotional activities.

We recommend that universities review their processes and practices in relation to scholarships by:

- Working with other Universities of Sanctuary to create more consistent processes.

- Ensuring that they do not require applicants to make their institution their first choice in order to apply for a scholarship.
- Avoiding asking applicants to provide excessive detail about their immigration case, and ensuring that staff who judge applications understand that pre-migration trauma is not a factor determining a young person's entitlement to a scholarship.
- Ensuring that scholarship students are not placed under any pressure to take part in promotional activities.

Universities should ensure they promote scholarships widely.

Young people with insecure status are often unaware that scholarships exist, in some cases funding their own university course after years of saving. One young person we spoke to was unaware of the scholarships they were eligible for, causing delays to their education.

Experts agreed that widening participation departments should do more to promote scholarships through close partnership working with schools and organisations that support these pupils.

While we recommend that universities promote scholarships more widely, changes to scholarships will have limited impact in isolation and are not a substitute for system-level change or for universities' support for policy change. As scholarships are already oversubscribed, their capacity to widen access is limited.

7.5 Ongoing support at HE

When students fall into debt because of issues surrounding student finance eligibility, universities should:

- Write off tuition fee debt where a young person cannot continue with their course due to having their student finance application rejected.
- Agree reasonable long-term payment plans with students who choose to continue their studies.

Universities should provide mental health support for all students and ensure that students with insecure immigration status are able to access this support.

Young people with insecure immigration status are likely to require support with their mental health during their studies. Pastoral support systems need to be sufficiently informed about the particular issues facing young people with insecure status, including pre-migration trauma and the stress and uncertainty of navigating the immigration systsem.

As Dami Makinde emphasised, young people are often unaware of support services at university:

> ***'No young person has come up to us and said, "I've accessed this services at university." ...If those services are there then the universities aren't making that clear enough, they're not making it accessible for young people to understand that it's there.'***

We therefore call on universities to provide young people with insecure immigration status with targeted, well-advertised support including access to specialist mental health services.

Universities should ensure that young people with insecure immigration status have access to advisors within the university that can signpost them to specialist immigration advice, act as advocates for them and support them to manage their studies.

Young people with insecure status often have ongoing immigration cases, including status renewals, while at university. As Nick Watts described, the uncertainty and complexity of these cases are

challenging for young people to navigate, and can distract them from their studies:

> ***'They have that same experience that everyone else does really, [until] if you're for instance taking examples of refugees, refugees are given five years initially in the U.K. If you're looking at limited leave, they've got 30 months. So there's still peril throughout that. If that five-year refugee status was granted when they were 16, about halfway through their uni degree, they're then going to be looking at needing to renew applications. If they can't afford to do that, they'd be looking at losing all entitlement... it's looming over them throughout that journey.'***

Even where young people can afford to renew their status, managing the demands of a Home Office application alongside university studies places students under considerable pressure. While universities are not able to provide immigration advice directly, they are able to signpost to advice and guidance and to support the student with managing their studies.

As part of the holistic support they provide to their students throughout their studies, universities should provide a clear point of contact to trained advisors, within the university, who are able to:

- Signpost students to immigration support services and legal advice.
- Act as advocates for their students, helping them to find and secure the immigration support they need.
- Support students to navigate meeting their university commitments and the demands of their home office application. For example, if Home Office appointments or application deadlines clash with important course dates or deadlines, the advisors should support the student to rearrange their course based responsibilities and should work with the student to communicate the need for this support and flexibility to other university staff.

Summary of recommendations

Policy Change

- Young people should be immediately eligible for student finance once they gain lawful status.
- Universities should campaign for this policy change and leverage their influence to support these young people and their right to education.

Student Finance England should:

- Provide further training for advisory staff or set up a specialist advisory team for applicants whose immigration status currently means they must prove their long residence.
- Provide accessible information and tools to support applicants, schools and universities to establish whether a young person is eligible for student finance.
- Be clear and concise about documentation required to prove lawful status and reduce the burden of proof required.

Schools, sixth forms and colleges should:

- Ensure that teachers and career leads involved in supporting young people's decision making have the requisite knowledge of immigration statuses and eligibility for student finance to allow them to effectively support young people.
- Support pupils to access the advice and guidance which universities and Student Finance must provide.
- Ensure pupils are aware of scholarship opportunities and support them to apply for these opportunities.

University admissions teams should:

- Ensure that admissions staff can provide support for young people with insecure immigration status by training all staff or specialist advisors on immigration status and eligibility criteria.
- Be as flexible as possible regarding English language requirements.
- Hold free, pre-sessional courses for EAL students.

Widening participation teams should:

- Provide IAG which includes information and support for young people with insecure immigration status.
- Widen access to scholarships to include all young people who have insecure but lawful immigration status that are unable to access student finance, namely, young people who are asylum seekers and young people with limited leave to remain, for as long as the long residency category restrictions remain in place.
- Promote scholarships widely.
- Review their processes and practice with regard to scholarships to ensure that these do not create any additional barriers, by:
  - Working with other Universities of Sanctuary to create more consistent processes.
  - Ensuring that they do not require applicants to make their institution their first choice in order to apply for a scholarship.
  - Avoiding asking applicants to provide irrelevant details about their immigration case, beyond its outcome and key details, and ensuring that staff who judge applications understand that pre-migration trauma is not a factor determining a young person's entitlement to a scholarship.
  - Ensuring that scholarship students are not placed under any pressure to take part in promotional activities.

To support their students with insecure immigration status, universities should:

- Support students that fall into debt because of issues surrounding student finance eligibility, by:
  - Writing off debt where a young person cannot continue with their course due to having their student finance application rejected.
  - Agreeing reasonable long-term payment plans with students who choose to continue their studies.
- Provide mental health support for all students and ensure that students with insecure immigration status are aware of and able to access this support.
- Ensure that young people with insecure immigration status have access to specialist advisors who can signpost them to immigration advice and guidance, act as advocates for them in getting the support they need and help them to manage their studies alongside their immigration case.

8 Conclusion

Young people with insecure immigration status face considerable barriers to accessing HE in the UK and are therefore likely to be significantly underrepresented in HE. Alongside barriers such as poverty, poor mental health and a lack of school support, the primary barrier to accessing HE for young people with insecure status is their ineligibility for home fee status and student finance support.

Young people and their families face considerable uncertainty when navigating the immigration system and attempting to gain or maintain legal status. This uncertainty leaves them unable to plan for the future, closing down pathways to education and training and leaving their talents and potential unrealised. Restrictions to young people's access to student finance compound this uncertainty.

Schools, colleges, HEIs and Student Finance England need to develop their understanding of the barriers faced by young people with insecure status and make changes to their practice in order to better support these young people. More fundamentally, policy change is required to remove the restrictions on young people's entitlement to home fee status and financial support. Without this policy change, many young people will continue to face considerable delays in their educational journeys.

Once young people gain limited leave to remain, they should immediately become eligible for home tuition fee status and student finance support. There are three compelling arguments for making this change to policy:

- Everyone has a right to education. Aspirational, academically-capable young people who live in the UK legally and have been educated here as children should not be prevented from progressing to higher education because they cannot self-fund their studies or access student finance due to rules imposed on their immigration status.
- Higher education is an investment in human capital that brings significant benefits to individuals and wider society. When young people are unable to progress to HE, these benefits are squandered.
- Young people who complete HE study go on to make a greater contribution to the economy, through greater productivity and higher earnings. Restricting access to home fees and student finance generates a long-term cost to the public purse.

This report marks the beginning of a campaign to remove the long residence category restrictions on student finance eligibility for young people with limited leave to remain. King's College London, in collaboration with migrants' rights groups, legal experts and other universities, plans to campaign for this policy in order to ensure that more young people are able to progress to higher education and realise their potential.

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This report was written by **The Centre for Education and Youth**. CfEY is a 'think and action-tank'. We believe society should ensure all children and young people receive the support they need to make a fulfilling transition to adulthood. We provide the evidence and support policy makers and practitioners need to support young people.

We use our timely and rigorous research to get under the skin of issues affecting young people in order to shape the public debate, advise the sector and campaign on topical issues. We have a particular interest in issues affecting marginalised young people.

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March 2021