



Home Office

Asylum support, section 4(2): policy and process

Version 3.0

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About this guidance

This instruction sets out the policy and procedures to be followed in considering applications for support provided under section 4(2) of the Immigration and Asylum Act 1999.

Application of this instruction in respect of children and those with children

Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the Home Office to carry out its existing functions in a way that considers the need to safeguard and promote the welfare of children in the UK. It does not impose any new functions or override existing functions.

Officers must not apply the actions set out in this instruction either to children or to those with children without having due regard to section 55. The Home Office instruction '[Every child matters: change for children](#)' sets out the key principles to consider in all relevant activities. Our statutory duty to children includes the need to demonstrate:

- fair treatment which meets the same standard a British child would receive
- the child's interests being made a primary, although not the only consideration
- no discrimination of any kind
- asylum applications are dealt with in a timely fashion
- identification of those that might be at risk from harm

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors, then email the Asylum Policy inbox.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- **version 3.0**
- published for Home Office staff on **28 June 2022**

Changes from last version of this guidance

Information about support for applicants declared inadmissible added.

Related content

[Contents](#)

For context see asylum support policy and process instructions on Asylum support policy and process instructions pages.

Related external links

[Asylum support instruction pages – GOV.UK](#)

Section 4(2) support overview

Legislative provisions

Failed asylum seekers may be supported under section 4(2) of the Immigration and Asylum Act 1999 if they meet certain eligibility criteria.

The Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005 set out the [eligibility criteria](#).

Dependants of failed asylum seekers may be supported under section 4(3) of the 1999 Act.

Accommodation arrangements and nature of section 4(2) support

Cash payments are not provided to those receiving support provided under section 4(2). Those who receive the support are generally provided with accommodation and a payment card (the Aspen card) that can be used to buy food and other essential items. The Aspen card bears the visa logo and can be used at retail outlets that accept visa payments.

Occasionally, full board accommodation may be provided to meet specific needs. In such cases, the Aspen card is not provided as food and essential toiletries are provided in the accommodation.

Travel expenses for those supported under section 4(2) to attend reporting events can be provided under the powers in [section 69 of the Nationality, Immigration and Asylum Act 2002](#). See also [regulations 5 to 9 of the Asylum Support Regulations 2000](#).

Location of the accommodation

Those granted support under section 4(2) are provided with accommodation on a no-choice basis, which will usually be outside London and the south-east of England. However, the caseworker may exceptionally consider providing accommodation in a particular location if there are particular reasons to do so, for example medical reasons.

The Asylum Support Medical Adviser is able to provide advice on:

- the general availability of medical treatment in a particular region of the UK that the person may need to access
- the person's fitness to travel to the region
- any specific type of accommodation the person may need to be provided with because of a medical reason

For further information see: [Healthcare needs and pregnancy dispersal guidance](#).

Access to emergency accommodation

Where a street homeless appellant attends the Asylum Support Tribunal in London for an oral hearing of an appeal against a decision to refuse or discontinue support, and the appeal is allowed, they may request emergency accommodation until other accommodation is arranged for them.

In general, the emergency accommodation will be provided in London. Appellants who are both street homeless and vulnerable, who attend an oral hearing of their appeal via video conferencing and whose appeal is allowed, may also request emergency accommodation until other accommodation is arranged for them.

Conditions of support

Regulation 6 of the 2005 regulations provides that the continued provision of support may be made subject to the person complying with certain conditions.

These include complying with specified standards of behaviour and complying with a reporting requirement. Any such conditions must be set out in writing.

The person should also be given notice that they must reside at the accommodation provided to them and not absent from it, unless given permission, for more than 7 consecutive nights or for more than 14 nights in any 6 month period.

Dependants

Section 4(3) of the 1999 act enables the dependants of failed asylum seekers to be supported.

The definition of dependant for the purposes of eligibility to section 4(2) support is the same as the one contained in regulation 2 of the Asylum Support Regulations 2000.

Dependants include spouses, civil partners, people who have lived as husband and wife for 2 of the last 3 years, children and other close family members who have a disability. There is no requirement for the dependant to have been treated as a dependant on the person's asylum claim.

A person usually ceases to be eligible to receive support provided under section 95 of the 1999 act 21 days after they are given notice that their asylum claim has been refused, or where there is an appeal, 21 days after their appeal is finally rejected. The 21 days' period is usually known as the "grace period".

However, where the person had dependent children in their household before the expiry of the grace period, they continue to be eligible to receive support provided under section 95 and are not therefore eligible to receive section 4(2) support.

A failed asylum seeker with children is only therefore eligible to receive support provided under section 4(2) if their children were born after the expiry of the grace period or otherwise joined their household after the period.

Evidence considered before adding dependants

Dependants must not be added to a support application unless sufficient evidence has been provided of their relationship to the failed asylum seeker applying for, or already in receipt of, section 4(2) support.

In the case of spouses or partners, marriage certificates or civil partnership certificates are acceptable evidence and in the case of children a birth certificate is acceptable. These documents must always be seen if the marriage, civil partnership or birth of the child took place in the UK.

Careful consideration should be given to assessing other types of evidence submitted of the relationship, but as a general rule a person should only be treated as a dependant if the main applicant listed the person as their spouse, partner or child when asked to give details of their family members as part of their asylum application.

Section 55

Under section 55(1) of the Nationality, Immigration and Asylum Act 2002 the Secretary of State may not provide or arrange for the provision of support under section 4(2) of the 1999 act if she is not satisfied that a person applied for asylum as soon as reasonably practicable after arrival in the UK and that it is unnecessary to provide support to avoid a breach of the person's Convention rights.

If a person makes an application for support under section 4(2) and a decision has not previously been made under section 55, the caseworker must first decide whether section 55 prevents the provision of this support.

Section 55 only applies if asylum was claimed on or after 8 January 2003.

There is no right of appeal to the First-tier Tribunal, Asylum Support (Tribunal) against a refusal under section 55(1) and 55(5)(a).

Applicants declared inadmissible

An applicant declared inadmissible may be supported under section 4(2) of the Immigration and Asylum Act 1999 if they meet the [eligibility criteria](#).

Related content

[Contents](#)

Eligibility test and applicant's duties

In order to be eligible for support under section 4(2) a person must be a failed asylum seeker or the dependant of a failed asylum seeker and meet conditions set out in the Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005.

Regulation 3(1)(a) allows support to be provided to a failed asylum seeker who appears to be destitute and who satisfies one or more of the following conditions:

- the person is [taking all reasonable steps to leave](#) the UK or place themselves in a position in which they can leave the UK - this could include complying with attempts to obtain a travel document to facilitate departure
- the person is [unable to leave the UK by reason of a physical impediment](#) to travel or for some other medical reason
- the person is unable to leave the UK because in the opinion of the Secretary of State there is currently [no viable route of return](#) available
- the person has made an application in Scotland for judicial review of a decision in relation to their asylum claim or, in England and Wales or Northern Ireland, has applied for such a judicial review and been granted permission or leave to proceed
- the provision of accommodation is necessary for [avoiding a breach of a person's Convention rights](#), within the meaning of the Human Rights Act 1998

To apply for section 4(2) support a person must include evidence that demonstrates their eligibility to receive support.

Destitution test

To be eligible for support under section 4(2) a person must appear to be destitute or likely to become destitute within 14 days (or 56 days if they are already in receipt of support). A person is destitute if they:

- do not have adequate accommodation or any means of obtaining it (whether their other essential living needs are met)
- have adequate accommodation or the means of obtaining it, but cannot meet their other essential living needs

In deciding whether a person is destitute, consider:

- the time that has elapsed since the period when any support provided under section 95 has ended
- the evidence available to support the application
- whether the person has, or has had, access to accommodation or financial support and if so the evidence about the continued availability of this support

If the person was not supported under section 95 of the 1999 act when their asylum claim was under consideration, or they were supported under that provision but it

was discontinued some time ago, it is usually reasonable to consider that they have been able to access alternative sources of support before their application for section 4(2) support was made and that they can continue to do so unless a good explanation is provided as to why such support is no longer available.

Supporting evidence

It is for the person seeking section 4(2) support to provide evidence to support their application. Where insufficient information is provided to enable a decision to be made on an application, further information should be requested. Requests for further information must be made in writing, should require a response within 14 days and be copied to the person's representative if they have one.

If the information requested is not provided within 14 days, the application should be refused on the basis that the person has not established that they are eligible to receive support. The refusal letter should record that information was requested but not provided.

Persons taking all reasonable steps to leave the UK

[Regulation \(3\(2\)\(a\) of the 2005 regulations](#) allows support to be provided if the person is taking all reasonable steps to leave the United Kingdom or place themselves in a position in which they are able to leave the United Kingdom, which may include complying with attempts to obtain a travel document to facilitate his departure.

Each application for support based on this provision should be considered on its merits. In particular, consider whether the person:

- has applied for Assisted Voluntary Return (AVR) and is taking all reasonable steps to obtain any necessary travel document needed to facilitate their departure from the UK
- has applied to their national embassy for any necessary travel document needed to facilitate their departure from the UK
- has fully complied with Home Office processes to obtain a travel document on their behalf, including by supplying accurate information to support a UK letter or an application for an Emergency Travel Document
- is subject to a prosecution under section 35 of the Asylum and Immigration (Treatment of Applicants, etc.) Act 2004

As a general rule, it is reasonable to expect a person who claims to be taking reasonable steps to leave the UK, including through an Assisted Voluntary Returns scheme, to be able to do so within 3 months.

Eligibility for support under regulation 3(2)(a) should therefore be reviewed regularly and should usually be discontinued after 3 months unless the person provides a satisfactory evidence to show why they have not left the UK.

Persons unable to leave the UK by reason of a physical impediment to travel or some other medical reason

[Regulation 3\(2\)\(b\) of the 2005 regulations](#) allows support to be provided if the person is unable to leave the UK by reason of a physical impediment to travel or for some other medical reason.

A person should only be supported under this provision if they are physically unable to travel (usually by air) and not because they are receiving medical treatment in the UK that does not prevent travel, or because there is a possibility that the treatment might no longer be available after departure from the UK.

Applications for support under this provision must be supported by a [medical declaration](#), which must be completed by the person's General Practitioner (GP) or NHS Consultant. The declaration should clearly state the exact nature of the physical impediment or medical reason that prevents the person from travelling from the UK and when it is expected they will be able to travel or when their ability to travel can be reviewed.

The Home Office will provide medical practitioners with a fee for completing a [medical declaration](#) form.

Pregnancy

If a person applies for support on the basis that she is in the late stages of pregnancy and is therefore unable to travel, she must provide a MATB1 form or other recent medical documentation confirming the pregnancy and stating the expected date of delivery (EDD). A MATB1 is issued by a doctor or midwife up to 20 weeks prior to the EDD and indicates when the baby is expected to be born.

Unless there are complications with the pregnancy, supported by medical evidence that the person's health and or that of the unborn child may be at risk, support must not normally be granted until around 6 weeks before the EDD.

Where the person is granted support a review date 6 weeks after the EDD, or birth of the child if known, should be set.

Person with a new-born child

If a person has a dependent child that is less than 6 weeks old, it should normally be accepted that she and the child are unable to travel from the UK.

The person will need to provide a copy of the child's birth certificate or a letter from a medical professional confirming the date of the birth of the child.

The person's eligibility to support should be reviewed 6 weeks after the date of birth of the child.

Person is unable to leave the UK: no current viable route of return

Regulation 3(2)(c) of the 2005 regulations allows support to be provided if the person is unable to leave the UK because in the opinion of the Secretary of State there is currently no viable route of return available to the person's country of origin. This regulation would not apply to those declared inadmissible as they are being considered for removal to a safe third country and not their country of origin.

Person has made an application for judicial review

[Regulation 3\(2\)\(d\) of the 2005 regulations](#) allows support to be provided if the person has applied for judicial review of a decision in relation to their asylum claim, including an inadmissibility decision.

The person must have applied to a Scottish court for judicial review or been granted permission to proceed with a judicial review in England and Wales or been granted leave following a judicial review in Northern Ireland.

To establish a person's eligibility to support under this provision checks should normally be made of Home Office case working systems and where necessary the Government Legal Department.

Support provided to avoid breaching ECHR rights

[Regulation 3\(2\)\(e\) of the 2005 regulations](#) allows a person to be provided with support where that is necessary to avoid a breach of their Convention rights, within the meaning of the Human Rights Act 1998.

Article 3 of the European Convention on Human Rights (ECHR) is the prohibition on torture or inhuman or degrading treatment or punishment.

The first step in determining whether accommodation and or support may need to be provided for human rights reasons is to note that in ordinary circumstances a decision that would result in a person sleeping rough or being without food, shelter or funds, is likely to be considered inhuman or degrading treatment contrary to Article 3 of the ECHR (see: *R (Limbuela) v Secretary of State* [2005] UKHL 66).

The decision maker will therefore need to assess whether the consequences of a decision to deny a person accommodation would result in a person suffering such treatment. To make that assessment it may be necessary to consider if the person can obtain accommodation and support from charitable or community sources or through the lawful endeavours of their families or friends.

Where the decision maker concludes that there is no support from any of these sources then there will be a positive obligation on the Secretary of State to accommodate the individual in order to avoid a breach of Article 3 of the ECHR.

However, if the person is able to return to their country of origin or go to a safe third country and thus avoid the consequences of being left without shelter or funds, the situation outlined above is changed. This is because:

- there is no duty under the European Convention on Human Rights to support foreign nationals who are freely able to return home (see: *R(Kimani) v Lambeth LBC* [2003] EWCA Civ 1150)
- if there are no legal or practical obstacles to return home, the denial of support by a local authority does not constitute a breach of Human Rights (see: *R (W) v Croydon LBC* [2007] EWCA Civ 266)

A practical obstacle to departure would usually only exist if the person is unable to leave the UK because they lack a necessary travel document but are taking reasonable steps to obtain one, or they are unfit to travel for a medical reason. However, it will be unnecessary to consider whether a person in these circumstances needs to be supported under regulation 3(2)(e) as they can be considered under regulations 3(2)(a) or (b).

Whether there are legal obstacles to return or removal should be considered on a case by case basis on the information available, but examples of where it should usually be accepted that they exist are where:

- they have submitted a late appeal against the rejection of their asylum or Article 3 ECHR claim and the First-tier Tribunal is considering whether to allow the appeal to proceed out of time
- they have submitted further submissions against the refusal of their asylum or Article 3 ECHR claim and these remain outstanding
- they have been referred to the National Referral Mechanism (NRM) and are awaiting a Reasonable Grounds as a potential victim of modern slavery
- have received a positive Reasonable Grounds decision and are in the recovery and reflection period and are awaiting their Conclusive Grounds decision (where the Conclusive Grounds decision is negative, they will exit the NRM process)
- where a Conclusive Grounds decision is positive and they are receiving support from the Modern Slavery Victim Care Contract, they are entitled to a minimum of 45 days of move-on support.
- an inadmissible applicant's Article 3 ECHR claim has not been certified and they have an outstanding appeal against the Article 3 ECHR claim.

If the decision maker is unsure as to whether it would be appropriate to provide, or continue to provide, support in any given case for human rights reasons, a senior caseworker should be consulted as part of the decision-making process.

If there are no legal or practical obstacles preventing the person leaving the United Kingdom, it will usually be difficult for them to establish that the Secretary of State is required to provide support in order to avoid breaching their ECHR rights.

Further submissions

The existence of further submissions, combined with the fact that the person does not have access to accommodation and the means to live (or will shortly be in this position) may mean that support will need to be provided to prevent a breach of their ECHR rights.

Wherever possible, the further submissions should be considered at the same time as consideration is given to the support application.

If it is found that the further submissions are clearly abusive, manifestly unfounded or repetitious the application should be refused, which in practice will be at the same time as the further submissions are rejected.

However, a decision on the application should not be unnecessarily delayed to await the further submissions decision. Generally, decisions should be made within 5 working days, but careful consideration should be given to any additional factors that call for the case to be given higher priority and the decision made more quickly.

Where the following circumstances apply, reasonable efforts should be made to decide the application within 2 working days (the list is not exhaustive):

- people who are street homeless
- families with minors
- disabled people
- elderly people
- pregnant women
- persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence
- potential victims of trafficking

Implication of the further submissions decision on section 4(2) eligibility

If consideration of the further submissions results in:

- a grant of leave to remain, support should be refused or discontinued (with a 28 days' notice period) since the person will be able to work and access mainstream benefits
- them being accepted as a fresh asylum or Article 3 application, and the person is given a right of appeal against that decision, support should be refused or discontinued and the person advised that they may be eligible for asylum support provided under [section 95 of the 1999 act](#)
- them being rejected, or accepted as a fresh asylum or Article 3 application but the claim is certified under [section 96 of the 2002 act](#), support should be refused or discontinued unless the person is eligible for support on a different basis
- them no longer being declared inadmissible and their asylum claim being considered substantively in the UK, they may be eligible for support under

section 95 of the Immigration and Asylum Act 1999. For more information see [Ceasing asylum support](#)

- Providing support on condition that the person complies with specified steps to facilitate departure: regulation 6(2)(d)

Further submissions do not apply to the decisions to declare a protection claim inadmissible ([Inadmissibility: third country cases](#)). However, if an applicant has made further submissions in relation to a human rights claim which results in the Secretary of State, despite the declaration of inadmissibility, considering the asylum claim in the UK in accordance with section 80B(7) of the Nationality, Immigration and Asylum Act 2002, the applicant may be eligible for section 95 support of the Immigration and Asylum Act 1999.

Where appropriate, the caseworker may specify the steps that a person must take to facilitate their departure from the UK and provide support only on condition that the person takes these steps. These conditions may be applied using the powers in regulation 6(2)(d) of the 2005 regulations.

As an example, it may be appropriate to specify that the person applies for a passport from their national embassy or attends a Home Office re-documentation interview and provides accurate information to support an application for an Emergency Travel Document.

The specified steps should be set out in writing at the time support is granted.

If the person does not comply with the specified steps their support may be discontinued, but not before they are given the opportunity to provide an explanation. If the explanation is reasonable support should continue to be provided.

A reasonable explanation might include:

- serious illness, supported by medical evidence, that prevented the person from taking the required action
- where the person now qualifies for support for a different reason and it is no longer reasonable in the circumstances to expect them to take the specified step as a condition for continuing to receive support

Reviewing the provision of support

If a person is granted support their case should be reviewed regularly to ensure that they remain eligible to receive it. In all cases, support should be reviewed no later than 3 months from the date that it was granted, or 3 months from the date of the last review.

However, earlier review dates should be set where appropriate and in the following circumstances:

- where the person is supported on the basis that they are taking all reasonable steps to leave the UK, and, in particular, the review will usually need to check

that the person is co-operating with Home Office efforts to arrange for their documentation or departure, or that they have approached their national embassy for the purposes of obtaining a passport

- where the person is supported because they are in the later stages of pregnancy, so the review should normally take place 6 weeks from the expected delivery date of their child

If the review concludes that the person is no longer eligible to receive support, support should be discontinued.

Refusing or discontinuing support

Where it is decided to refuse support or to stop providing it, a letter setting out the reasons must be sent to the person, copied to their representative if they have one. Where the decision is to stop providing support the person should be informed that the decision will take effect 14 working days from the date of the letter. The accommodation provider should also be given separate notice of the decision, with instructions that any eviction notice served on the person should ordinarily give them no less than 7 days to vacate the accommodation.

Appeals against refusal or discontinuation of support

A decision to refuse or discontinue support attracts a right of appeal under [Section 103 of the 1999 act](#) to the First-tier Tribunal (Asylum Support). The decision letter must advise the person of their right of appeal and provide information about how to appeal and enclose the forms needed to make an appeal.

Appeals to the Tribunal should be submitted within 3 days of receipt of notice of the decision, but the Tribunal may decide to allow an appeal submitted later to proceed if they consider that to be appropriate.

If the appeal is against a decision to discontinue support and the Tribunal decides, before the 14 days' discontinuation period expires, to allow an appeal to proceed, support should be continued until the appeal has been decided. The person and the accommodation provider should be informed if that this means that the 14 days' period needs to be extended.

If, however, support has been discontinued and the person has moved out of their accommodation, support will not be reinstated pending the outcome of the appeal.

Discontinuation of support to families with children

In considering whether to discontinue the provision of support to a person with child dependants, the course of action taken must have regard to the need to safeguard and promote the welfare of the children as provided for in section 55 of the Borders, Citizenship and Immigration Act 2009.

If support is being discontinued because the person no longer meets the conditions set out in regulation 3(2) of the 2005 Regulations or because they breached the

conditions attached to the provision of support, the local authority children's services should be informed so that they can consider whether they need to take any action that they consider necessary to safeguard the welfare of the child.

It is not necessary to inform the local authority if support is being discontinued because the person is not destitute.

Senior caseworker approval must be given before support is discontinued to any person with dependent children.

Repeat applications

If a person's application for support is refused or their support has been discontinued and they have not appealed against the decision or their appeal has been dismissed, any further application for support should not be entertained unless the application is made on a different basis or there has been a material change of circumstances.

The decision letter should explain why it is considered that there has been no material change of circumstance and refer back to the reasons why it has already been found that the person does not qualify for support.

Related content

[Contents](#)

Additional services or facilities under the 2007 regulations

Background

The Immigration and Asylum (Provision of Services or Facilities) Regulations 2007 (the 'Additional Services Regulations') enable various additional services or facilities to be provided to those receiving support under section 4(2) of the 1999 act.

All applications for additional services or facilities made under the [Additional Services Regulations](#) must be made on the additional services or facilities application form. Additional services or facilities that have not been applied for on the form will not be authorised.

A person may apply for additional services or facilities if they are already receiving section 4(2) support, or while they apply for it.

A person refused support because they are ineligible to receive it is also ineligible to receive assistance under the Additional Services Regulations.

In most cases, additional services and facilities are delivered through making additional funds available to the person through their Aspen payment card or by providing them with travel tickets.

Different types of additional services and facilities

Travel: regulation 3

Regulation 3 provides that the Secretary of State may supply, or arrange for the supply of, facilities for travel for a qualifying journey for a person to:

- receive healthcare treatment, if the person has provided evidence that the qualifying journey is necessary
- register a birth

A 'qualifying journey' is defined in regulation 2, which provides that the journey should be either:

- not less than 3 miles
- less than 3 miles where the person has a child dependant under the age of 5
- difficult since the person or a child dependant is unable or virtually unable to walk 3 miles

Travel for healthcare treatment

If the person is seeking assistance to fund the costs of travel for healthcare treatment they should, where possible, submit written evidence from their healthcare

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provider to demonstrate that they need to travel to receive the treatment. This evidence should, where possible, be submitted on official notepaper with details of the healthcare provider. An appointment card will suffice.

Where evidence is provided for a series of medical appointments, authorisation can be given for the whole series.

There may be some occasions where a verbal statement of a pending medical appointment is acceptable, for instance where there is a clear and obvious need for someone to visit their GP or an accident and emergency department at short notice.

There may also be occasions where it is not possible to establish the cost of travel to receive healthcare treatment. In these circumstances the accommodation provider can be authorised to arrange and fund the travel. In these scenarios, it will be necessary to:

- establish whether required journeys are to be made by bus or another form of public transport, or by taxi
- establish an approximate cost considering the person's current area of residence
- request that the accommodation provider provides details of all costs incurred:
 - any discrepancies between the estimated and actual costs should subsequently be settled with the accommodation provider

Travel to register a birth

Where a birth has taken place in the UK it must be registered. In England, Wales and Northern Ireland, the birth must be registered within 42 days. In Scotland, this must be done within 21 days.

If the person is seeking assistance to fund the costs of travel to register a birth the completed application form must include the child's name, date of birth and place of birth in the dependant's section of the form.

Evidence that the birth has taken place may be documentary evidence from the hospital, such as the midwife's notes, baby's national health number or, in the event the mother is currently in receipt of support, evidence of a baby in the household.

Those who have already submitted a MATB1, which includes the expected date of delivery of their child, should not need to provide further evidence if they apply for additional assistance to register the child's birth.

Travel for dependants

If facilities for travel are provided to a supported person, the same arrangements may also be made for their dependants if they are also supported.

If facilities for travel are provided under regulation 3(1) to a supported child, regulation 3(2) allows the following to be provided with travel costs to accompany the child:

- parent
- guardian
- person who for the time being takes parental responsibility for that supported child; but only if they are also a supported person

The parent, guardian or person who for the time being takes parental responsibility for the child can arrange for the supply of facilities for travel for that qualifying journey to one or more of their dependants if they are also supported persons.

Birth certificates: regulation 4

Regulation 4 provides that arrangements may be made for the provision to a supported person of their child's full birth certificate. The person should apply with evidence of the child's birth.

Official – sensitive: Start of section

The information on this page has been removed as it is restricted for internal Home Office use.

Official – sensitive: End of section

Telephone calls: regulation 5(1)

Regulation 5 provides that Secretary of State may supply, or arrange for the supply of, facilities to a supported person aged 18 or over, to make telephone calls:

- regarding medical treatment or care
- to a qualified person
- to a court or tribunal
- to a voluntary sector partner
- to a citizen's advice bureau
- to a local authority
- to an immigration officer
- to the Secretary of State

Supported persons who are provided with assistance under regulation 5(1) should their Aspen card credited with an additional £5.

No further payment should be made until a period of 6 months has elapsed and a further application must be made before any additional funds are provided.

If a person wishes to make telephone calls for any purpose not listed in regulation 5 they should instead apply under the [Exceptional specific needs](#) category.

Stationery: regulation 5(2)

Regulation 5(2) provides that the Secretary of State may supply, or arrange for the supply of, stationery and postage for correspondence to a person aged 18 or over:

- regarding medical treatment or care
- to a qualified person
- to a court or tribunal
- to a voluntary sector partner
- to a citizen's advice bureau
- to a local authority
- to an immigration officer
- to the Secretary of State

Stationery includes, but is not limited to, pens, pencils, stamps, envelopes, paper.

Supported persons who are provided with assistance under regulation 5(2) should have their Aspen card credited with an additional £2.50.

If a person wishes to correspond for any other purpose they should instead apply under the [Exceptional specific needs](#) category.

One-off additional support for pregnant women and new mothers: regulation 6

Regulation 6 provides that during the ante-natal eligible period, additional support to the value of £250 may be provided to a pregnant woman in respect of each child she is expecting.

In a case where such support has not been provided during the ante-natal eligible period, it may be provided after the supported person has given birth.

However, the additional support may only be provided during the period from 8 weeks before the expected date of birth to 6 weeks after the birth.

Additional support under regulation 6 should not be provided if the person has already received a maternity payment in respect of the child in question at a time when she was receiving support provided under section 95 of the 1999 Act.

An application for additional support under regulation 6 should normally include a MaTB1 form showing the expected delivery date of the child, or a letter from a community midwife or GP, or the child's full birth certificate. However, where this information has already been supplied for a different purpose it is not necessary to ask for it again.

Additional support: pregnant women and children under three: regulation 7

Regulation 7 provides that for the duration of a person's pregnancy additional funds may be credited to her Aspen card to the value of £3 per week.

The application for additional funds must be made by the pregnant woman, regardless of whether she is the main applicant or a dependant of a person supported under section 4(2).

The original MATB1 form must be provided, showing the expected delivery date of the child, with the application. If the MATB1 is endorsed by a midwife, their personal identification number must be entered on the form along with their signature.

If it is not possible to submit the original MATB1 form a letter from a community midwife or a letter from a GP is acceptable.

From the date of the child's birth until the date of its first birthday an additional £5 per week may be credited to the Aspen card.

From the day after the first birthday until the third birthday, additional funds to the value of £3 per week to be credited to Aspen card.

Persons entering section 4(2) support with a child dependant aged under 3, or later joined on support by a dependent child aged under 3, may also apply for additional support under regulation 7.

In these cases, the application form should include the child's full original birth certificate. Photocopies should not be accepted.

Additional weekly support for children's clothing: regulation 8

Regulation 8 provides that additional funds to the value of £5 per week may be credited to the person's Aspen card for the purposes of providing clothing in respect to a child aged under 16.

Exceptional specific needs: regulation 9

- Regulation 9 provides that additional support may be provided if the Secretary of State is satisfied that a supported person has an exceptional need for:
 - facilities for travel
 - facilities to make telephone calls
 - stationery and postage
 - essential living needs

In determining what are, or are not, to be treated as essential living needs, regard should be had to regulations made under section 95(8) of the 1999 act.

Whether a perceived need is considered to be exceptional must be decided on a case by case basis. Senior caseworker advice should be sought where a person applies for additional services or facilities under this category.

The onus is on the person to demonstrate that the need is sufficiently exceptional to warrant a grant of additional services or facilities under regulation 9.

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