

## **NRPF (no recourse to public funds) and other temporary free school meals entitlement extensions during COVID19 (April 2020) – school version**

A temporary extension for entitlement to free school meals has been agreed for some additional categories of pupils. This extension is from 21 April 2020 until schools reopen to all pupils. Applications **under these categories only** should **not** be made via the usual online form (as they will receive a refused response) but by submitting a completed self-declaration form (which will be available at [www.staffordshire.gov.uk/freeschoolmeals](http://www.staffordshire.gov.uk/freeschoolmeals) ) with any additional required supporting information either to [freeschoolmeals@staffordshire.gov.uk](mailto:freeschoolmeals@staffordshire.gov.uk) or via the school to forward to the same free school meals email address (the school can complete and email in the declaration form with parental agreement). Any applications for free school meals under the usual income criteria should continue to be made using the online application form.

**Please note that whilst the free school meals team will handle the free school meals claim, they are unable to offer any guidance or support regarding entitlement to, or how to claim for, support under the 4 categories listed below.**

Once the claim has been reviewed and accepted as entitled it will be added to our system and so appear on your school's Prime report listing all live claims.

There are 4 new categories for temporary entitlement -

### **1 - Zambrano carers**

A Zambrano carer is the primary carer of a British citizen child or dependent adult, where requiring the primary carer to leave the UK would force that British citizen to leave the European Economic Area (EEA).

They must be able to show:

- that the carer/parent is not a British citizen
- that the child is a British citizen
- that the carer is a direct relative or legal guardian of the child
- that they have primary responsibility of the child
- that there are no other members of the carer's family in the UK or the EEA who could look after the child

- to meet this extended criteria they must also have a household income of less than £7,400 per year

To apply they should complete the self-declaration form and provide the necessary income proof.

## 2 – Right to remain under Article 8 of the European Convention on Human Rights

Article 8 states that everyone has the right to respect for his private and family life, his home and his correspondence.

Carers with leave to remain under article 8 are able to work, and as such are subject to a maximum annual household earnings threshold of £7,400 in order for their child to be eligible to receive free school meals.

To apply they should complete the self-declaration form, provide copy of their letter from the Home Office granting them leave to remain in the UK and/or a biometric residence card, and provide the necessary income proof.

**Below is just an example of what the card looks like - the wording in each section may not match this!**



### **3 - Children of failed asylum seekers receiving support under Section 4 Immigration and Asylum Act 1999**

Section 4 allows the Home Office to provide support to a subset of refused asylum seekers who are classed as destitute and [meet their criteria](#). People receiving Section 4 support are not able to work, and as such there is no household income limit applied for these pupils.

To apply they should complete the self-declaration form and provide a letter from the Home Office or local authority confirming Section 4 support and/or an ASPEN card. An ASPEN card is a type of debit card that the allowance paid to asylum seekers is loaded on to.



### **4 - Children in families receiving support under section 17 of the Children's Act 1989 and have no recourse to public funds**

Section 17 places a general duty on local authorities to safeguard and promote the welfare of children in need by providing a range and level of services appropriate to those children's needs.

A child will be considered in need if:

- they are unlikely to achieve or maintain or to have the opportunity to achieve or maintain a reasonable standard of health or development without the provision of services by the local authority
- the child's health or development is likely to be significantly impaired or further impaired without the provision of such services
- the child is disabled.

The support local authorities provide will vary depending on the individual needs of the child and/or family. This support is not provided exclusively to people with NRPF – however, the extended eligibility for free school meals is available only to families with NRPF. To meet the extended criteria the family must also have an annual household income of less than £7,400 per annum.

To apply they should complete the self-declaration form, provide a copy of their latest children in need pack/plan from the local authority dated within the last 6 months, and provide the necessary income proof.

**Confirming household income where necessary (categories 1, 2 and 4).**

Where an income threshold is being applied, the maximum annual household earnings is £7,400 after tax. This equates to £616 per month.

To verify this, we suggest asking to view either a:

- payslip
- P60
- bank statement
- letter from their bank
- letter from their employer

**Provision of supporting information**

Due to current restrictions and safety precautions, we can review documents electronically if the family are comfortable and able to provide them in this way, we do not need to see originals. Alternatively, if the parent comes in to the school we still require the self-declaration form to be submitted by email but are happy to receive confirmation from the school that they have seen any necessary supporting information or proof of income rather than the school having to scan and forward this. If schools do see proof, please add a note within the email of what documentation you have seen when forwarding the completed self-declaration form.

We are aware that under the current circumstances, it may be difficult for a family to provide the required evidence. We are also aware that teachers and schools are already likely to be familiar with the circumstances of the children under their care. As such, you can be flexible and use your discretion when asking for supplementary evidence.

You are not required to keep any personal information or any evidence of status that has been provided by families.