

# **Non-UK citizens who have 'No Recourse to Public Funds' - Accessing a 2 Year Early Education Entitlement place**

## **Introduction**

The eligibility for 2 year olds has been extended to include all families that have 'No recourse to public funds (NRPF)'.

This guide has been developed to enable childcare providers to determine eligibility for 2 year old EEE funded places for families who are non-UK citizens and have no recourse to public funds.

The rationale for extending eligibility is that the most disadvantaged 2-year-olds should be able to access early education regardless of their circumstances. While some NRPF families have been eligible for some time, the Department for Education (DFE) recognised there are more disadvantaged children whose parents have NRPF that were unable to access the 2-year-old entitlement.

## **What groups fall under NRPF?**

These groups include, but may not be limited to children of:

- Zambrano carers
- families who have no recourse to public funds with a right to remain in the UK on grounds of private and family life under Article 8 of the European Convention on Human Rights
- families receiving support under Section 17 of the Children Act 1989 who are also subject to a no recourse to public funds restriction
- those who have [claimed asylum](#) in the UK and are waiting for a decision (known as 'part 6')
- a subset of failed asylum seekers supported under Section 4 of the Immigration and Asylum Act 1999
- Chen carers
- families holding a [BN\(O\) passport](#)
- spousal visa holders
- work visa holders
- student visa holders
- those with no immigration status
- those with a UK Ancestry Visa

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- those with temporary protection status under Section 12 of the Immigration and Nationality Act
- those with pre-settled status who do not meet the qualifying right to reside test

### **Confirming Eligibility for a 2 year Early Education Entitlement place**

There are 2 steps that need to be taken to ensure that a child meets the NRPF criteria.

Step 1 – A provider must confirm that the family have 'No recourse to Public Funds

Step 2 – The parent must complete a declaration that they do not exceed the financial thresholds and the childcare provider must verify this.

### **Step 1 - Confirming NRPF Status**

In order to confirm a family meets the NRPF criteria you will need to view evidence that they do not have recourse to public funds. This can be done by either viewing a **Biometric Residence Permit** (card) or, if the parent is able to provide proof digitally they can give you a 'share code' which will allow you to check their immigration status via the **Home Office's Online Immigration Checking Services** – [Check someone's immigration status](#)

### **Biometric Residence Permits (BRP)**

A BRP contains a parent's name, date of birth, facial image and fingerprints. It also contains their immigration status and entitlements while they remain in the UK. The permit will confirm whether the parent has no recourse to public funds in the remarks section.

The picture below is an example of a BRP:

Please note under the parents name is the date that the document is valid until. Under the 'Permit Type' the remarks section identifies how many hours the parent can work and any restrictions on those hours.

If the parent has no recourse to public funds, the permit will state 'NO PUBLIC FUNDS' or if the parent has recourse to public funds, the BRP will not say anything (Check front and back of permit)

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**Online Immigration Checking Service**

Some parents will be able to provide proof of their immigration status digitally. Parents will be able to provide you with a share code, which will allow you to check their immigration status via the Home Office's Online Immigration Checking Services – [Check someone's immigration status](#)

The following 3 screens show what you will see when accessing this page, you will be prompted to enter the share code received from the parent, the parent's date of birth, your name, your setting name, and the reason for checking the parent's status which will be 'To access 2 year early education entitlement'.

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### Check someone's status – start page

To carry out a check on an individual's immigration status, you will need to access the [Check someone's immigration status](#) service and complete the relevant steps to access their status information.

Select 'Start now' to use the share code and check someone's immigration status

Start now >

#### Online immigration status services

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### Checker authentication

Enter the share code that you have been given by the individual.

Enter the individual's date of birth

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### Checker authentication

**GOV.UK** Check someone's immigration status

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**Who is doing this check?**

Job title

Organisation or company name  
Include your local office or branch name

Continue

Checker enters the information and selects 'Continue'.

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**Why are you checking this person's status?**

To check they are eligible for:

☐ benefits or tax credits

☐ homelessness assistance or council housing

☐ hospital treatment

☐ a new bank or building society account

☐ a new loan or credit card

or

☒ another reason

please specify

Continue

Checker selects the appropriate option and selects 'Continue'.

Upon completion you will see the following screens which will confirm the parent's status and whether they have recourse to public funds – see 'things they cannot do':

### This is what the checker will see

Name	Peter Parker
Status	Skilled worker
Valid from	1 September 2020
Valid until	1 January 2024



Rotate ↻

### Summary of what they can do in the UK

They can live in the UK until the expiry date.

As a Skilled Worker, they can study as long as it does not interfere with the job they are sponsored for. This must be in line with the conditions listed in the decision (or grant) notice they received from UK Visas and Immigration.

#### Things they cannot do

They cannot get [public funds](#).

Create a share code

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This is what you will see when a parent has indefinite leave to remain and has recourse to public funds:


### This is what the checker will see

Name	Ashanti Ramirez
Status	Settlement, also known as indefinite leave to remain

There is no limit on how long they can stay in the UK.

Create a share code

[Leave service](#)



Rotate ↺

Please note that share codes last for only 90 days, during which time a parent's status can change. Please bear this in mind when checking the status of a parent. It is straightforward for a parent to provide an up-to-date share code.

Parents who do not have digital status should provide a **Biometric Residence Permit** to confirm their status.

### Frequently asked questions

#### **Why is there a higher income threshold for NRPF families than those families who are able to access public funds?**

The higher threshold has been put in place to broadly replicate the overall income of a similar Recourse to Public Funds family, taking into account their earnings in addition to the social security benefits they receive.

#### **What happens if one parent in a family has No Recourse to public funds and the other parent has Recourse to public funds?**

Recourse to public funds status should take precedence in this scenario and parents should apply via the normal route. Income from work should be taken into account for the whole household.

#### **What proof of income should we request from parents?**

A list of documents for you to review is listed on the application form – you do not have to view all of them, but you should be satisfied from any evidence that you have viewed and

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from the information provided on the application form that the family does not exceed the financial thresholds. You should keep copies of the evidence you view for the purpose of EEE audit.

### **How can we determine how many children are in the household?**

Parents should self-declare how many children are in the household.

### **If an NRPF family does not have documentation with them (e.g. a child’s birth certificate or passport), what can a provider use as proof of age?**

If an NRPF family is not able to provide the normal documentation as proof of their child’s age, then a provider can use the child’s visa or IS116 form, which is issued by the Home Office and captures the child’s date of birth. In the absence of these documents, then a provider should rely on the child’s date of birth as stated in the parental declaration.

### **Where can I find more information about NRPF?**

[Public funds - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

[NRPF Network](#)