

MATERNITY PAYMENT AND ADDITIONAL SUPPORT FOR EXPECTANT MOTHERS DURING PREGNANCY

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Introduction

This instruction covers the provision of maternity payments and additional payments to pregnant women and children under 3 years old.

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

Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the UK Border Agency to carry out its existing functions in a way that takes into account 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 UK Border Agency instruction 'Arrangements to Safeguard and Promote Children's Welfare in the United Kingdom Border Agency' sets out the key principles to take into account in all Agency 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.

Additional payments for pregnancy and children under the age of 3

The [Asylum Support \(Amendment\) Regulations 2003](#) allows for additional payments to be made to supported women who are pregnant and to children under the age of 3. These payments may be made to those already supported under section 95 and to those who have made an application for support where they have been assessed as eligible for support under section 95.

Expectant women and young children between 1 and 3 years old are eligible to receive an additional £3 per week. Children under the age of 1 will receive an additional £5 per week. These payments are intended to allow supported asylum seekers to purchase healthy food.

Applications for additional payments can be made by either the child's mother or father in writing before or after the baby is born.

Applicants are not eligible for back payments of this specific type of support. Requests for a back payment should be refused using the letter ADDPC3 available on ASYS.

If the applicant is not receiving Asylum Support, they should be sent the letter ADDPC2 informing them that they are not eligible for additional payments. This letter is available through ASYS.

Applications made during pregnancy

Applications must be signed by the mother or father and include original, credible written confirmation of pregnancy such as form MAT B1, a letter from a Community Midwife or a letter from a GP. If the MAT B1 is endorsed by a midwife, their PIN number must be entered on the form along with their signature.

If a MAT B1 form is submitted, a copy should be taken of the original and the copy should be placed on file. The original should be returned to the mother or father by recorded delivery. A note should be entered onto CID stating that the original MAT B1 has been seen and a copy placed on file.

If appropriate evidence is not submitted, the applicant should be advised of this in writing. Case Owners should refer to section 6.1 of the training manual Additional support for pregnant women and children under the age of 3 for guidance on updating ASYS and the letter that should be produced.

When the required evidence has been received, the Case Owner should establish the type of accommodation occupied by the applicant, as the method of payment will depend on the accommodation type.

Payments made to pregnant women in Emergency Accommodation are made in 10 weekly batches (e.g. 10 x £3.00 = £30.00) and then reviewed when the next payment will be due. If the applicant has been dispersed then the payments will be paid via regular support. If there are no changes to the applicant's circumstances then payment will continue in 10 weekly batches.

Payments should be made through ASYS. Case Owners should refer to ASYS user manual titled Using the Automated Assessment Tool and the training manual Additional support for pregnant women and children under the age of 3.

In the event that the mother suffers a miscarriage, the Case Owner should send the applicant letter ADDP5, which is available through ASYS.

Additional support for children aged under 3

The child's original full birth certificate should be forwarded to the Case Owner. Photocopies will not be accepted. The birth certificate should be photocopied and the copy placed on file. The original birth certificate should be returned to the applicant via recorded delivery. CID notes should be updated to state that the birth certificate was received, has been photocopied and the original returned to the applicant via recorded delivery.

If appropriate evidence is not submitted, the applicant should be advised of this in writing. Case Owners should refer to section 6.1 of the training manual Additional support for pregnant women and children under the age of 3 for guidance on updating ASYS and the letter that should be produced.

Once eligibility is confirmed, the child should be added to the support application. Case Owners should refer to the Asylum Instructions [Dependants on an Asylum Support Application](#) for guidance on adding dependents and [Document Retention](#) for guidance on when valuable documents can be retained.

Caseworkers should then look at the type of accommodation that the applicant resides in.

Payments made for children under 3 in Emergency Accommodation are made in 6 weekly batches (i.e 6 x £5.00 = £30.00) and then reviewed when the next payment will be due. If the applicant has been dispersed then the payments will be paid via regular support. If there are no changes to the applicant's circumstances then payment will continue in 6 weekly batches.

Where the applicant is resident in hotel type Emergency Accommodation, support is to be paid via Interim Support Tokens (ISTs).

Where the applicant is resident in non-hotel type Emergency Accommodation, support is to be paid via Emergency Support Tokens (ESTs). Case Owners should refer to the appendix of the Training Manual Additional support for pregnant women and children under the age of 3 for guidance.

Case Owners should be aware that emergency accommodation providers may be obliged under the terms of their contract to supply additional payments to enable mothers to purchase milk for babies and children. When setting up additional payments via ISTs for pregnant women and children in emergency accommodation, Case Owners should not make these payments to those applicants who would be receiving the payments via their accommodation providers.

If the applicant was receiving additional support before the birth of their child, payments will continue but at a higher rate. Case Owners should refer to ASYS user manual titled Using the Automated Assessment Tool and the training manual Additional support for pregnant women and children under the age of 3 to alter the payments on ASYS.

Applicants should be advised of the decision in writing. Case Owners should refer to the Training Manual Additional support for pregnant women and children under the age of 3 which sets out the letters that should be issued.

Further guidance on additional payments can be found in Asylum Support Policy Bulletin 78 [Additional payments to pregnant women and children](#) and the Training Manual Additional support for pregnant women and children under the age of 3.

Maternity Payment

A “maternity payment” is a single one off payment provided to eligible asylum seekers under Section 94 of the Immigration and Asylum Act 1999.

To help with the costs arising from the birth of a child, asylum seekers may be eligible for a payment of £300 per child. This is available to applicants supported under section 95 and those who have been assessed under section 98 of the Immigration and Asylum Act 1999. The payment will be made if the applicant meets certain criteria (set out below) or if the case is exceptional.

Applications must be made in writing, signed by the applicant and include the appropriate documentary evidence. This may be an original full birth certificate, an original ‘MAT B1’ form or original formal evidence.

A maternity payment can only be paid in the following circumstances:

- The application for the maternity payment has been lodged in writing and signed by the father or mother of the child; and
- the application was received between one month before the estimated date of delivery and 2 weeks after the birth; and
- the birth is expected in two weeks (or less) or the child is less than two weeks old (or was two weeks old or less on the day the maternity application was received); and,
- the child was born to a supported person (or if not yet born, the expectant mother is a supported person); and,
- an original full birth certificate has been submitted (or original formal medical evidence of estimated date of delivery (EDD) such as an original ‘MAT B1’ if child not yet born).

OR

- the application has been lodged in writing by the father or mother of the child; and
- the child was born outside the UK to a person who on application, qualifies for Asylum Support; and
- the child is 3 months of age or less; and,
- formal credible evidence of the age of the child has been submitted.

OR

- The child was born to a supported person and the case is an exceptional one.

If the child is born outside the UK, credible evidence of the age of the child should be submitted. Evidence that may be accepted are:

- an original full birth certificate (photocopies not acceptable); or,
- original passport (the original passport will normally be held by the Immigration Service (port cases) or by the ACD (in-country cases) so in such circumstances Case Owners will need to contact the relevant department to obtain a copy of the original passport); or,
- original medical evidence from a UK registered GP.

A maternity payment must not be awarded in the following circumstances:

- The child's mother (or expectant mother) or father is eligible for social security benefits.
- A social security maternity payment has been made from the Social Fund in respect of the relevant child or children.
- An asylum support maternity payment has already been made in respect of the relevant child or children. This is particularly applicable to those who receive a maternity payment, leave the UK and subsequently return.

Case Owners should use the maternity payment checklist at Annex A of Asylum Support Policy Bulletin 37: [Maternity Payments](#) when considering whether a maternity payment can be awarded.

Case Owners should check that the request has been received within the appropriate time limits. If the request is deemed 'late', Case Owners should consider the case and take account of any exceptional circumstances.

If the criteria for a maternity payment are not met, consideration should be given as to whether an exceptional payment should be made. The decision to grant an exceptional maternity payment must be made by an HEO or more senior grade.

Case Owners should note that if the application is made before the child is born, it must be made on the MAT B1 form and a full birth certificate must be provided within 42 days of the birth. If the birth certificate is not received within this time then Case Owners should look to reclaim the payment. Case Owners should treat the payment as an overpayment and are responsible for reclaiming it. Case Owners should refer to Policy Bulletin 67: [Overpayments](#) and the Asylum Instruction Overpayments for guidance.

The applicant should be advised of the decision in writing using the templates at Annex B of the Asylum Support Policy Bulletin 37: [Maternity Payments](#).

Where the decision to grant a Maternity Payment falls after the birth of the baby, Case Owners must have received the full birth certificate before the dependant is added to ASYS. Guidance on adding dependants to a support application can be found in the ASYS user manual Adding/Removing a Dependant.

Once the Maternity Payment has been approved, the applicant's accommodation type should be checked for its suitability and a Maternity Payment should be issued. If support is ongoing and

the applicant is residing in Asylum Support or private accommodation, it should be included via the ARC. If the applicant is residing in emergency accommodation, the Maternity Payment should be paid via IST. Case Owners should refer to ASYS user manual titled Using the Automated Assessment Tool for guidance on allocating the payment through ASYS.

Case Owners should note that if a maternity payment has been made but the child is stillborn or dies shortly after birth, the payment should not be reclaimed and Case Owners should not seek to obtain a death certificate.

Glossary

Term	Meaning
MAT1	This letter is issued to an asylum seeker who has enquired about maternity benefits or needs to provide Case Owners with specific information.
MAT2	This letter is issued to an asylum seeker who has applied for a maternity payment but has provided insufficient evidence.
MAT3	This letter is issued to an asylum seeker whose partner is eligible to alternative benefits.
MAT4	This letter is issued to an asylum seeker who has failed to send in the birth certificate.
MAT5	This letter is issued to an asylum seeker whose payment is made on the birth certificate via EST.
MAT6	This letter is issued to an asylum seeker whose payment is made on the birth certificate via IST.
MAT7	This letter is issued to an asylum seeker whose payment is made on the birth certificate via Regular Support.
MAT8	This letter is issued to an asylum seeker whose payment is made on the EDD via EST.
MAT9	This letter is issued to an asylum seeker whose payment is made on the EDD via IST.
MAT10	This letter is issued to an asylum seeker whose MAT payment is made on EDD via Regular Support.
MAT11	This letter is issued to an asylum seeker who has applied for a maternity payment too early.
MAT12	This letter is issued to an asylum seeker who has applied for a maternity payment too late.
MAT13	This letter is issued to an asylum seeker who has applied for a maternity payment but has provided insufficient evidence with their MAT B1
MAT 14	This letter is issued to an asylum seeker who has requested reimbursement of the cost of an original full birth certificate.
ADDPC2	This letter is issued to an asylum seeker who is not receiving Asylum Support
ADDPC3	This letter is issued to an asylum seeker who is not eligible for a back payment
ADDPC4	This letter is issued to an asylum seeker who has suffered a miscarriage

Document Control

Change Record

Version	Authors	Date	Change Reference
1.0	BF	21/02/07	New web style implemented and incorporation of asylum support processes
2.0	M.Miller	20/03/07	
3.0	M.Miller	11/11/08	Re-Branded
4.0	B Foyle	14/10/09	Children's Duty paragraph added