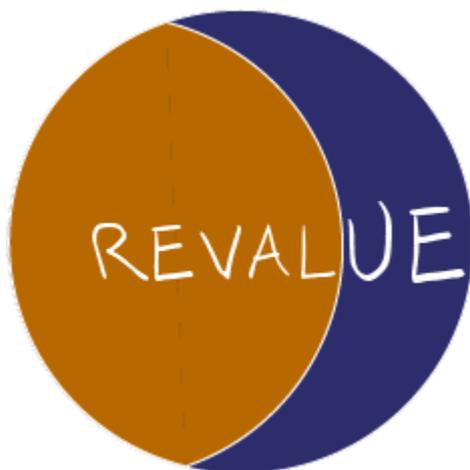


Refugees Empowerment through VET for an inclusive Europe
Erasmus + project initiated by ERIFO - n° 2016-IT01-KA202-005445

Intellectual Output 3

Migrant Service Provider
Curriculum Handbook

Didactic Manual



This document was prepared by: Fispe and Revalue partners

FISPE



Contents

1. Introduction

2. Course methodology: CLIL and ESP/FOS (Definition and a number of resources)

- *ESP/FOS*
- *CLIL*

3. Teaching material (4 modules)

- *Immigration legislation and administrative procedures;*
- *Orientative Information Techniques;*
- *Service Management;*
- *Principles of Customer Care*

This project has been funded with support from the European Commission. This publication reflects the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.



1. Introduction

This Didactic Manual a part of the **Migrant Service Provider Curriculum Handbook** aims to support delivery of the course in the different countries piloting the Revalue Project.

It contains the basic definition and a number of resources for the trainers to previously address the specific methodology selected CLIL and ESP/FOS so they can confidently prepare their Scheme of work, delivery and lesson plans accordingly with their context particular situation and specific target group and participants.

It also contains a **teaching material of four modules** to support the face to face lessons, as well as the necessary research and preparation for the trainers and staff member who will participate in the pilot delivery. These didactic materials are grouped according to the modules prescribed in the Course Plan and their ECVET structure.

The general approach of the Handbook is followed in this Didactic Manual, focusing on **facilitate the non formal working environment as learning context, not to prescribe teaching styles or learning procedures.**

2. Course methodology: CLIL and ESP/FOS

During the creation of the activities and exercises for the Vet training we need to think on the communications needs of the students to could work on the specific linguistic needs during the activities. That's why we are going to help us with the ESP/FOS and CLIL methodology for to create the activities and exercises. We need to use as much as possible of the images and video for the better understanding of the courses by the students. It's necessary also to collect, if possible, some example of the work situation- **video and audio, written, images.** We can find them on the web also. Or even better if you can have or make some authentic video.

It's important to collect as much as possible of the authentic and original documentation (the administration papers, flyers, etc...) that is in use for these types of jobs. We can find lots of them on the web, and on-site in different migrants organisations where "Migrants service provider" could work (associations, accommodation centres, welcome centres, information points for migrants, NGO Migrants, Counselling Offices, Operators of the job orientation service for migrants and refugees, Asylum Seekers and Refugees centres, Social service providers, Registered Charities etc.)

- **Methodology ESP/ FOS: English/ French for specifics purposes.**

This methodology should allow us to adapt a complexity of content of VET training (4 modules) that we need to prepare for migrants and refugees. FOS/ESP is used in generally to provide to the public who doesn't have a very high level of host country language a possibility to participate to the VET training. General objective of the IO3 is the VET training for "Migrant provider job". Considering that public that we are going to train are refugees and migrants who don't have a high



level of host country language, we need then establish also a linguistic objective for this VET training. For example the linguistic objective is: to teach them the communication (written and verbal) on the French, English or others partner's country language (a foreign language for them) – in connection with “Migrants provider job”. All the activities and exercises need to be thought around 4 linguistics skills: **reading/ listening/ writing/ speaking** and also around **the vocabulary** that is specific for **MSP**. We should presume the B2 level. CF. CEFR, p.26-27 <https://www.coe.int/en/web/common-european-framework-reference-languages> or document in annex (CEFR).

To find linguistic needs of students in connection with this job we should then ask following questions: in which situation the person will communicate, with whom, how frequently, more often on the written form or verbal form? What the person are going to have write? For the example:

- *The person needs to know a specific vocabulary which is in connection with migrant provider job.*
- *The person needs to use a correct polite communication expression (using of a Conditional form, etc...)*
- *The person need to know how to resume some request (written, oral)*
- *The person needs to know how to report some request to the colleague, partners... (written, oral)*

More communication situations we know more linguistic needs we'll be able to establish!

Links to the ESP/FOS methodology:

<https://www.laurenceanthony.net/abstracts/ESParticle.html> - about methodology

<https://www.youtube.com/watch?v=3eCj7iulp4A> – about methodology -short video

<https://www.fluentu.com/blog/educator-english/teaching-english-for-specific-purposes/> - about methodology

<https://www.youtube.com/watch?v=3wISi1o3ZGQ> – good for the examples

<https://www.youtube.com/watch?v=5ipkQk2Jm0E> – example for vocabulary in image

<http://www.onestopenglish.com> (possibility to subscribe 30 days for free to could have- example for the elaborate ESP class session)

<http://lereaufos.wixsite.com/reseau-fos/methodologie-du-fos> - FOS

- Methodology CLIL

The methodology is used in school to learn the subject in foreign language. It's about learning a foreign language naturally. We need to adapt it to our adult public and the specific VET content. See below the example of CLIL methodology.

<https://www.youtube.com/watch?v=kR6OnEqq1Fc> – how to bring CLIL into classroom

<https://www.youtube.com/watch?v=RfbbZkx0cbo>

<http://www.onestopenglish.com/clil/> (possibility to subscribe 30 days for free)

<https://www.youtube.com/watch?v=S FE 83VfxM> – example of the classes and for the teaching material.

<https://www.youtube.com/watch?v=ssPbrPpuXbl>

https://en.wikipedia.org/wiki/Content_and_language_integrated_learning

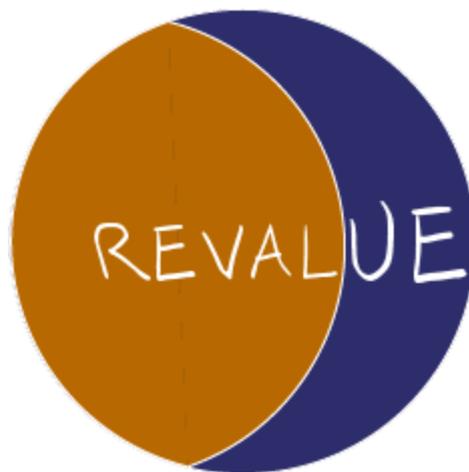


Teaching material for the face-to- face classrooms



Module 1

IMMIGRATION LEGISLATION AND ADMINISTRATIVE PROCEDURE (ITALY)





Module 1: Immigration Legislation and Administrative Procedures

Summary

Module 1: Immigration Legislation and Administrative Procedures.....	7
Unit 1 National legislation and procedures for legal services of interest of the foreign population	8
1.1 International protection: refugee status, subsidiary and humanitarian protection.....	8
1.2 The welcoming of applicants and holders of international protection.....	9
1.3 Expulsion and rejection	11
Unit 2 Identification of the legal assistance needs and support in the request and use of the legal services.....	12
2.1 Protection system for asylum seekers and refugees.....	12
2.2 Access in SPRAR welcoming projects	13
2.3 The taking charge of asylum seekers and holders of international protection	14
2.4 The procedure for the recognition of international protection	20
2.4.1 Presentation and formalization of the application	20
2.5 Legal orientation.....	23
2.6 The taking charge of minors	26
Annexes	29
Allex I: Model C3	29
Annex II: Model B.....	36
Annex III: Model F.....	38
Annex IV: Model of personalized project of integrated welcoming	41



Unit 1 National legislation and procedures for legal services of interest of the foreign population

1.1 International protection: refugee status, subsidiary and humanitarian protection

The applicant for international protection is a person who has applied for international protection, i.e. an application for refugee status or subsidiary protection status, and is therefore awaiting recognition of international protection. Refugee status is recognized to those who are afraid of being persecuted for race, religion, nationality reasons, for belonging to a particular social group or for their political opinions. A refugee is outside the country of which s/he is citizen and cannot or do not want to make use of the protection of this country because s/he fears the mentioned persecutions (Article 1 Geneva Convention). A person eligible for subsidiary protection is someone who doesn't meet the requirements for the recognition of the refugee status, but there are reasonable grounds to believe that if this person returns to the his/her country of origin, s/he would run a real risk of suffering serious harm. The following are considered serious damages (Art.14 D. Lgs. 251/07):

- The death sentence or execution,
- Torture or other forms of inhuman or degrading punishment or treatment,
- The serious and individual threat to life or to the person resulting from indiscriminate violence in situations of internal or international armed conflict.

Following the entry into force - and the subsequent conversion into law - of the Decree Law 113/2018 on immigration and security, it disappears from the Italian legal system - envisaged by the immigration law - the permit for humanitarian reasons.

The new legislation provides for the issuance of a permit for special protection guaranteed in cases where the application for international protection is not accepted but the Territorial Commission considers that certain conditions foreseen in. 19 of the Immigration law are true:

- Prohibition of expulsion or resettlement to a State in which the foreigner may be subject to persecution for race, sex, language, citizenship, religion, political opinions, personal or social reasons, or may risk to be sent back to another State in which this person is not protected from persecution.
- Prohibition of expulsion, rejection or extradition of a person to a State if there are reasonable reasons for believing that it may be subject to torture. The assessment of these reasons also takes into account the existence in this State of systematic and serious violations of human rights.

The special protection lasts one year and guarantees access to care services, study and to the enrollment in the Civil Registry. Upon expiry, the permit can be renewed by converting it into a residence permit for reasons of employment or self-employment or for study purposes.

The law also introduces new types of residence permits such as:

- Medical treatment (with a duration not exceeding one year and renewable as long as the health conditions of exceptional gravity persist),



- Special cases¹ - issued to victims of trafficking, labor exploitation and domestic violence (annual duration),
- Natural disasters (half-yearly duration),
- Civic value (lasts two years).

The temporary protection permit stays the same and can be adopted for significant humanitarian needs, on the occasion of conflicts, natural disasters or other particularly serious events in countries outside the European Union.

1.2 The welcoming of applicants and holders of international protection

The rules regarding the reception of asylum seekers are contained in Legislative Decree no. 142/2015 - which implements Directive 2013/33/EC. The European directive on the reception of asylum seekers obliges all member countries to ensure a decent living standard and living conditions similar to those of their citizens in all the member states.

The asylum seeker legitimately resides in the host territory for the entire duration of the recognition of international protection process.

The petitioner has the right to the reception if he doesn't have "sufficient means to guarantee an adequate quality of life for the health and for the sustenance of his/her own family" (Art. 5, paragraph 2 of Legislative Decree 140/05). A necessary condition, however, is the presentation of the asylum application within 8 days from the arrival into the national territory, except in cases of major force. The reception starts from the moment the application is presented, and from this moment onwards primary assistance interventions can be provided.

The Reception Directive attests that the Member States must ensure that within three days of filing an asylum application, applicants are issued with a document certifying asylum status or authorization to stay in the territory of the Member State in the period in which the application is under examination (Art.6, paragraph 1). The same Reception Directive also provides that Member States must guarantee material reception conditions for all applicants when they submit their asylum application. It is therefore clear that the Community provisions oblige Member States to provide asylum seekers with immediate and timely reception.

1.2.1 Primary and secondary welcoming

Following the entry into force of the law on security and immigration, the reception of asylum seekers and holders of international protection in Italy is divided into two phases: the first and second reception. The asylum seeker who has just arrived on the national territory is welcomed into a reception center where he/she will be subjected to medical treatment and health screening. Only after the first identification, integrated with a photo report, the process for the request for international protection by the asylum seeker can start.

Depending on their type, asylum seekers are then transferred to one of the following structures:

- Extraordinary reception centers (Cas)
- Centers for stay and repatriation (Cpr)².

¹ The Territorial Commission can require the Questor an annual residence permit with the words "special cases" in the event that it does not accept the application for international protection.

² The Minniti Law intends to reform both the administrative procedure for the request for international protection, and the judicial procedure, aimed at regulating the appeal process that takes place after the refusal of the Territorial Commission Law 13 April 2017 n. 46 (conversion of Legislative Decree 17 February 2017 No. 13).



The asylum seeker will be hosted in a Cas for the entire duration of the procedure. Only in the event of recognition of subsidiary protection or refugee status will s/he be accepted as part of the Protection System for Asylum Seekers and Refugees (Sprar), or in second reception centers. The decree law 4 October 2018, n. 113 modifies the Protection System for asylum seekers and refugees by replacing it with the Protection System for holders of international protection and for unaccompanied foreign minors. In this way, the asylum seekers are excluded and the widespread reception system in the territorial networks is exclusively dedicated to holders of international protection. Asylum seekers who are already part of the funded SPRAR projects can stay in reception until the end of the project. After the entry into force of the decree, asylum seekers will be accepted only in the Cas.

The current legislation does not define the reception centers in detail but merely describes the cases in which the asylum seeker has to be sent to these centers and to regulate their treatment. The fundamental principle that applies to Cas is that applicants cannot be obliged to stay there. Irregular foreigners who do not apply for international protection or do not have the requisites are instead held for a maximum of 6 months in a CPR. The stay in the CPRs has been therefore extended from 90 to 180 days. Furthermore, the decree provides for the timely execution of works for the construction, completion, adaptation and restructuring of the residence centers for repatriation within 3 years from the entry into force of the decree.

Holders of residence permits for special protection will not be able to benefit from the SPRAR reception.

1.2.2 Integrated welcoming and holistic approach

The SPRARs offer residents an integrated reception, that is to offer to holders of international protection not only the possibility of enjoying food and accommodation but also services aimed at their social and work integration and attaining full economic autonomy. The institutions that are part of the Protection System for asylum seekers and refugees also offer social support activities that aim at integrating the applicant into the territory in which s/he is located. Institutions then provide activities for learning Italian, adult education and enrollment in schooling for minors. Work placement guidance are also developed through training and retraining and measures for access to housing.

The interventions guaranteed by the SPRAR can be grouped in the following areas of intervention:

- Linguistic and intercultural mediation;
- Material reception;
- Orientation and access to local services;
- Professional training and retraining;
- Orientation and accompaniment to work placement;
- Orientation and accompaniment to housing insertion;
- Orientation and accompaniment to social inclusion;
- Legal guidance;
- Psycho-socio-health protection.

As can be seen from the diversity of services offered, the taking-into-charge of asylum seekers and refugees requires an approach that favors a path of acceptance and inclusion that takes into account the personal characteristics of each individual person. For the purposes of the social inclusion of applicants and refugees, a holistic approach is necessary that guarantees the care of the person in terms of needs, expectations and the cultural context of origin. It is essential that operators pay special attention to people's needs and necessities. The holistic approach is such only if the operators of the agencies in charge of reception will be able to realize a path of personalized socio-economic insertion and attentive to the latent needs of asylum seekers and refugees. The paths of inclusion of vulnerable people require the ability of the operator to respect the times of the user, although the insertion projects are usually temporary.



The operator of the reception centers must have heterogeneous skills and competences. It is important for the operator to apply a multidisciplinary and interdisciplinary approach to the taking-into-charge of humanitarian asylum seekers and refugees (RARU). People welcomed in first and second reception services are often the bearers of vulnerabilities (victims of violence, torture, trafficking or psychological or psychiatric discomfort). The RARU social inclusion path often requires psychological support from the operator, who must be able to activate an intervention that helps the beneficiary to reacquire self-perception and personal autonomy. The operator must therefore be able to respond to the needs of the beneficiaries by setting up a program of interventions aimed at the individual person but also aimed at interacting with the local context in which the reception service is located, involving not only local service networks but also the city community.

1.3 Expulsion and rejection

Expulsion and rejection are regulated by the Immigration Act (Legislative Decree 286/98). On the other hand, the rejection is a measure of expulsion towards those without a visa or another authorization to transit or entry into the Country, those who try to cross the border or those who are stopped by an Authority. The repatriation can therefore take place at the border or be deferred – when the Questore arrange the repatriation of the foreigner who is accompanied by a judicial authority to the border.



Unit 2 Identification of the legal assistance needs and support in the request and use of the legal services

2.1 Protection system for asylum seekers and refugees

In 2001 the Ministry of the Interior, the National Association of Italian Municipalities (ANCI) and the United Nations High Commissioner for Refugees (UNHCR) signed the Memorandum of Understanding for the creation of the "National Asylum Program". This is the first public system established in Italy that provides a sharing of responsibilities between the central body (the Ministry) and local and regional authorities for the reception of asylum seekers and refugees.

It is within this framework that the Protection System for Asylum Seekers and Refugees (SPRAR) was established. While the Central Service is responsible for monitoring the presence of refugee seekers and holders of international protection in the territory, for the creation, maintenance and updating of the database of local operations and the dissemination of information and technical assistance to local authorities, the network organizations of the SPRAR must offer food and shelter, information, guidance and assistance to asylum seekers and refugees through the construction of individual paths for socio-economic integration.

The SPRAR projects are currently being restructured following the changes introduced by Decree Law 113/2018 which transforms the current system that welcomes both applicants and holders of international protection in a system that limits the reception to the holders of international protection and unaccompanied foreign minors.

SPRAR projects play a very important role in providing guidance services to refugees and asylum seekers. SPRARs deal with:

- *Offering information on the issue and renewal of documents: residence permit, travel document, health care, release time and delays in delivery of documents;*
- *Helping in filling out forms;*
- *Informing about the services offered in the area;*
- *Informing about the various types of residence permits regarding the duration and rights guaranteed;*
- *Orienting in the request for international protection.*

We must bear in mind that the SPRAR network is a second-level reception network and that therefore we tend to favor the inclusion of those who have already obtained a form of protection (international or subsidiary) or are in possession of a residence permit for humanitarian reasons, without neglecting subjects who need dedicated structures because in situations of hardship or single-parenthood.



2.2 Access in SPRAR welcoming projects

The process of access to the SPRAR of the holders of international protection begins with the reporting of individual cases to the Central Service Database.

The notice for the arrival to the SPRAR project takes place by sending the filled in Model B (attached) - can be downloaded from the Central Service website³. The completed form must be sent to the Central Service exclusively by email (info@serviziocentrale.it or serviziocentrale@pec.cittalia.it).

As a first step, the procedure of taking charge involves the reporting of each individual case to the SPRAR Central Service Data Bank. The reporting can be performed by local authorities and managers of SPRAR territorial projects, reception centers for asylum seekers, police stations and prefectures. When reporting by local authorities and SPRAR project managers, it is up to the operator to take care of the practice and to accompany the asylum seekers and international protection holders in the bureaucratic process.

To the request the operator must attach:

- The personal data and the nationality of the interested party,
- The certificate that is issued by the Police Headquarters in case the person concerned has already sent the application for international protection to certify the status of asylum seeker or the residence permit. The latter is issued to the applicant for a maximum of six months or otherwise until the decision of the Territorial Commission, which is why it is called a temporary residence permit. Please note that the receipt confirming the submission of the request, issued simultaneously with the registration of the application, already constitutes a temporary residence permit. The residence permit for asylum application allows the applicant to work after 60 days from the submission of the application for protection except when the related procedure has been concluded and the delay is attributable to the applicant.
- A brief social report of the period and of the activities carried out up to that moment, in which the operator will briefly indicate the services provided and the proposed reception program, with the objectives and the interventions to be implemented. The report must be addressed to the Central Service and must be an easy document in which the contents are organized in paragraphs. Although there is no default model, it is important that the report contains:
 - o Context data,
 - o The purpose of the report (it is necessary to contextualize the report in order to explain what it is under evaluation)
 - o The description of how the social survey has taken place (what were the actions implemented and which bodies involved?),
 - o The description of the situation (the operator must be careful not to provide personal or value judgments; this section must contain objective data. It is useful to refer only to facts observed or otherwise deductible, using numerical indicators to report them),
 - o Evaluation (here the operator is required to express his / her evaluation, for this reason it is important to argue in favor of the project that is being proposed) and
 - o Proposal of intervention (the operator describes the type of intervention proposed to the Central Service with respect to the individual case examined).
- Health report where psycho-physical vulnerabilities are highlighted,
- The indication of the contact person to be contacted for the insertion of the person taken charge of (usually it is the operator who takes care of the person reported when the accommodation solution has been found).

The criteria followed by the Central Service to evaluate the reception of the reported person are:

³ <https://www.SPRAR.it/guide-normative/modulistica-SPRAR>



- The date of the request,
- The characteristics of the report (households, individuals, minors, etc.),
- Vulnerability of the person,
- Type of residence permit,
- Location of the report.

Once the availability of a reception point is confirmed, the Central Service activates the necessary contacts between the reporting agent and the host project. After the welcome project has been identified, the Central Service draws up a formal communication that is sent to the contact persons of the SPRAR project owner, the reporting agent and the respective competent Prefectures. The reporting body will then send to the hosting project the updated documentation concerning the socio-health and administrative situation of the person concerned. Within fifteen days following the receipt of the Central Service report, the beneficiary must be transferred to the host project location.

Unfortunately, the timing of insertion are conditioned by the availability of the places and the number of requests, but the reports of people of vulnerable categories have priority as well as the reports coming from the Prefectures.

Once inserted into the host project, the host operator must also register in the database⁴:

- Entry of the beneficiary by entering his/her personal data and indicating the dwelling in which he/she resides within three working days from the reception;
- The exit of the beneficiary, within three working days from the end of the reception;
- Information on the services and courses provided;
- In a timely and progressive manner, information concerning the legal framework, services and training courses used.

The new reception rules allow beneficiaries to extend the reception period by six months or more if they show certain vulnerabilities or exceptional circumstances duly justified. In the case of minors, the stay extends until the eighteenth year and can be extended for a further six months for proven reasons.

The extension of the reception period is an extension that is requested by the host institution. The extension may be authorized by the Ministry of the Interior and the Central Service for a maximum of six months or for longer periods if there are actual personal needs. The extension is granted for extraordinary circumstances and duly justified. To request an extension, the territorial project is required to use the appropriate section of the SPRAR Database, including a short social report. The Central Service responds to every request, both in case of approval and denial.

The exit from the SPRAR is foreseen if the beneficiary:

- Integrates in the territory or in other areas,
- Voluntarily abandon the project,
- The reception period comes to an end,
- The beneficiary is removed for violating the internal rules of the project,
- The beneficiary is repatriated.

It is up to the beneficiary's operator in the project managing body to record the exit from the project in the central service database and to fill out the exit model with detailed information on the actual socio-economic insertion and the specification of the causes.

2.3 The taking charge of asylum seekers and holders of international protection

⁴ It is possible to consult the Operator's Manual (only in Italian) and Visitor Database on the Central Service website www.serviziocentrale.it.



The stay in SPRAR is divided into this mode:

- Asylum seekers can be accepted until notification of the decision of the Territorial Commission;
- In the event that the persons taken charge of have already received the recognition of international protection, the period of stay is a maximum of 6 months.

The possible beneficiaries of the SPRAR secondary reception system are informed during the stay in the primary reception centers and immediately after the notification of the provision for the granting of a form of international protection, the possibility of continuing the reception in an SPRAR structure. In fact, the stay in second reception facilities is reserved to persons having legal status as an applicant/holder of international protection or in possession of a residence permit.

Upon entry to the SPRAR the operator must ensure the status of the procedure of the individual beneficiary and in particular must check:

- The date in which the request was submitted,
- The fulfillments carried out,
- The Police Headquarters who accepted and recorded the request,
- If the person is a "Dublin case"⁵,
- The previous domicile,
- The territorial Commission of competence,
- The date of the hearing,
- Documents already produced by the various competent authorities,
- If the beneficiary comes from another reception center, what are the procedures already implemented and the relationship of the other operators?

⁵ REGULATION (EU) N. 604/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a citizen of a third country or a stateless person (recast). <https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:32013R0604&from=en>



The request to welcome those who express the interest in continuing on the path of social integration is usually entrusted to the managers of the reception facilities active in their respective territories. The operator must send by mail (to info@serviziocentrale.it) the request to the Central Service through the use of form B (attached).

The form can be completed by the operator together with the beneficiary and sent in editable format to the Central Service. For Dublin cases or for all those who have filed an appeal after the denial of protection, it is advisable to avoid requesting entry into SPRAR projects.

In cases of vulnerability, the operator must also send a social health report in pdf format and in case of mental illness, the operator must complete the F2 model (attached).

The Central Service will evaluate the applications received and examine the availability of facilities able to accommodate the potential beneficiaries, giving notice to the Prefecture and to the local project owner. Only then can the transfer of each beneficiary take place.

If you do not receive a positive feedback from the Central Service you must understand a lack of availability in the appropriate facilities.

The insertion request can be renewed every 15 days and until the interested parties have a residence permit. Once the residence permit has been received, if no SPRAR is assigned, the procedures for the resignation from the initial reception facility can be started

After admission, the beneficiary must fulfill the first steps:

- The entry interview;
- The agreement with the host contract;
- Communication to the police headquarters;
- The issue of the tax code;
- Registration with the National Health Service.

2.3.1 The personalized project: the entering meeting and the personal dossier

After taking charge of the asylum seeker by the SPRAR entity, and upon notification by the Central Service, the project coordinator (usually a representative of the host municipality) and the reference operator make the first interview with the beneficiary, in the presence of a cultural mediator. The interview aims to inform the beneficiary of the rules to be shared and respected and of the functioning of the center. The first interview is also the moment when the beneficiary knows the operators and settles in the new context.

The operator must provide the beneficiary with information on the services he/she will be able to access, on the time and reception modalities and on the modality of participation in the functioning of the center. For this the beneficiary will have to sign the regulation and the welcome contract at the end of the interview. The regulation of cohabitation⁶ is a specific document the organization of the reception structure (attendance check, meal time, cleaning service, visiting hours etc.) the aims and methods of the social integration path, the rules of behavior that must respect the guests and services offered. The regulation must be understood in all its parts by the beneficiary of the SPRAR service, which must accept all the

⁶ A good example of SPRAR Cohabitation Regulation is that of the collective center PACI, winner of the call for tender announced by the Florence Health Society for the management of integrated reception services within the SPRAR project. The Regulation is available at the following website:

http://www.sds.firenze.it/materiali/Atti_2017/all6dir52_17.pdf



conditions and sign it at the end of the reading. For this reason it is important that during the first interview a mediator or an interpreter is present. The welcome contract is signed by all the parties involved, the guest, the representative of the local authority and the tutor of the beneficiary. The purpose of the contract is to have the parties sign an agreement that ensures compliance with the norms and obligations of all signatories:

- The institution commits to guarantee shelter and to provide a series of services,
- The beneficiary commits to comply with the regulations, to learn the Italian language, to work towards the realization of his/her insertion project and to respect the terms and conditions of reception.

Signing the contract, the beneficiary is placed in the reception center. The guest is presented to the other beneficiaries and receives the keys, the bed, and the personal hygiene kit and clothes (if provided). In the first hours a first appointment is set to start the process of the most urgent and preliminary bureaucratic procedures for accessing to local services.

The reception services must offer each applicant a personalized and set path to achieve their individual autonomy and progressive social integration. It is therefore evident that the accompaniment paths should be based on the needs of the individual beneficiaries and on the opportunities offered by the territorial context in which the service is offered. For this reason, there is no default template for drafting the custom project. Guidelines are provided to all operators of the SPRAR reception services, but it is up to the operator to define the most functional and practical form of support.

When drawing up the personalized project (see Annex IV), the operator should start by asking questions about the beneficiary (What are the resources at his disposal? What are his / her expectations and needs?) And concerning the territorial context (Which are the opportunities offered by local networks? What interventions can be implemented at local level to respond to the needs of the applicants?).

In defining the personalized project, the dialogue between the operator and the beneficiary represents the focal point for starting to reconstruct the personal history, both from a personal and a professional point of view, and to outline expectations and needs. The next phase requires the operator to build the project itself by preparing a personal file. The dossier must contain both the beneficiary's personal data and all other information and/or documentation useful for defining the personalized intervention plan.

The intervention plan or personalized project will then be adapted to the needs of the individual person taking into account the specificities of the local context. The "Operational manual for the activation and management of integrated reception services in favor of applicants and holders of international and humanitarian protection" (Ministry of the Interior, 2018) offers a similar feature of the Personal File Model and one of the Model of personalized project of integrated reception both to be customized according to the characteristics of the territorial project of belonging. The personal file must contain:

- The beneficiary's personal data,
- A short biography,
- The data necessary for launching the international protection procedure,
- A description of the socio-employment and social-health situation,
- A report of cultural, sport and recreational activities in which the beneficiary is involved,
- An assessment of the permanence in the host project expressed in positive elements and critical issues emerged,
- A diary of the interviews and activities in which the beneficiary took part.

The personal file must be kept in compliance with the privacy legislation in force and, given the sensitive data processed, must be accessible only to personnel directly affected. The copies of the beneficiary's documents, the assessments of the operators supporting the beneficiary, the documentation produced by the beneficiary and any other documents that could support the reception path of the asylum seeker must be attached to the personal file.

The personalized integrated reception project consists of several evaluation forms concerning:

- The attainment of documents;
- Participation in the territorial reception project;
- Learning Italian language;
- School and professional training;



- Definition of protection status;
- Knowledge of and participation in the territory;
- The path of living in autonomy;
- The path of work and social integration.

For each area to be assessed, the operator must indicate the objectives (achieved and prefixed), the actions and the tools put in place, the indicators and the assessments of the individual concerned and the team of operators who is responsible for following the beneficiary in the welcome project. What must be deduced from the evaluation forms is the evolution of the beneficiary that is the starting condition for the achievement of social and work integration in the territorial context in which it is located. This approach seeks to encourage the beneficiary's active participation in its integration project; for this reason the beneficiary himself is asked to evaluate his/her path personally.

The operator must therefore organize regular meetings with the beneficiary to verify the fulfillment of the planned activities and the progress of all the paperwork for the recognition of international protection. In this way, the operator has an ongoing update of the host project and the beneficiary acquires awareness by recognizing himself responsible for his own social inclusion process. It is for this reason that we talk about integrated reception: the project of inclusion and reception must be emancipating, in fact the beneficiary must be the protagonist of the autonomous design of his /her life.

2.3.2 Bureaucratic procedures and use of minimum services

Defining and clarifying to the beneficiaries what are the minimum services to which they are entitled, is an integral part of the role of the operator, especially in the early stages of integration within the host structure. In fact, the applicants are often unaware of what you are expecting from them, especially as regards the bureaucratic procedures and the practices to be followed to access the minimum services. Ensuring accessibility to these in a timely and immediate manner is necessary to give the beneficiaries the opportunity to enter the local context and immediately start the process of acquiring autonomy.

There are three specific actions that must be activated by reception operators: inform, accompany and guide. These three actions are relevant to activate the process of acquiring autonomy of the beneficiaries. After the first interview, the signing of the contract and the reception regulations, the bureaucratic procedures that the operator must deal with as a priority are:

- Enrollment to the registry office: To start any path of inclusion, it is necessary that the beneficiary is registered in the registry lists of the municipality of residence. The non-EU citizen can directly make the request for registration on the appropriate form in person (unless it has been prepared by the office) by attaching:
 - Passport or other identification document and entry visa (if required);
 - Valid residence document;

Registration is also possible for non-EU foreign nationals who do not hold a residence permit or before it is issued. The documentation required in case of waiting for the renewal of the residence permit is a photocopy of the expired residence permit and the postal receipt stating the successful submission of the renewal request. In the event that they have applied for a permit but are not yet in possession of it, the only receipt confirming the presentation of the request for international protection (which constitutes a temporary residence permit) is enough for registration. There are no further requirements such as the production of passports or equivalent documents.

- Communication to the Police Headquarters and to the Prefecture: in the first 48 hours from the moment of the insertion of a new beneficiary into the reception system, the operator in charge must report their presence to the Police Headquarters and to the local Prefecture. The



communication to the Police Headquarters must be done to access the insertion procedure in the SPRAR project. The communication is foreseen by the anti-terrorism norms, by the immigration legislation and the one concerning the reception. Usually the operator and the applicant go together by appointment at the offices of the Police Headquarters. The beneficiary still awaiting the decision of the Territorial Commission or holder of subsidiary protection must periodically renew the residence permit at the offices of the Police Headquarters.

- The tax code request: the tax code is necessary and preparatory to enrollment in the National Health Service. To obtain it, the operator must guide the beneficiary to make a request to the Directorate General of Revenue of the Ministry of Finance (based in each provincial capital), upon presentation of an identity document or residence permit in the case of applicants for international protection. Since the beneficiary is domiciled in a reception facility, he/she can access all public services in the area, including the health service. The tax code is a document identifying the citizen in relation with institutions and public administrations. It is a sixteen character code, composed of letters and numbers, which reproduces the personal data of the citizen/tax payer (surname, first name, sex, place and date of birth). The tax code is necessary for:
 - o subscribe to the National Health Service,
 - o be employed as employees and employees,
 - o start an autonomous work activity,
 - o conclude any contract (rent, sale, etc.),
 - o open a bank account.

The tax code is assigned by the police headquarters through connection with the Tax Registry to all those foreigners who do not have nor request a residence permit. In these cases, the Single Immigration Office therefore requires the Inland Revenue to assign a provisional numeric code. For asylum seekers and international protection, the temporary residence permit is issued for a maximum of six months (or until the decision of the Territorial Commission) and entitles to the assignment to the provisional numeric code. Therefore, at the entrance to the Italian territory, the foreigner can apply to the single points of immigration through the electronic system connecting with the Tax Registry. When requesting the residence permit, which must be made by the foreigner at the one-stop shop within 8 days of entry into Italy, the Counter requests the Revenue Agency, as an alternative:

- the conversion of the provisional tax code, previously assigned, into the definitive alphanumeric tax code;
- the 'verification' of the tax code of the citizen who is already in possession of it and has indicated it on the request for clearance or declared to the Help Desk at the moment of the request for the residence permit.

In any case, the one-stop shop issues to the citizen the certificate of attribution of the tax code. The model AA4/8 for the application of the tax code and instructions for its compilation can be downloaded from the following site of the Inland Revenue (the model is available in Italian, Slovenian, German, Spanish, French and English):

https://www.agenziaentrate.gov.it/wps/content/Nsilib/Nsi/Schede/Istanze/Richiesta+TS_CF/Modello+e+istruzioni+CF+AA4_8/?page=schedeistanze.

Citizens from an extra-EU country must exhibit⁷:

⁷ The whole modules can be downloaded from the following website: <https://www.SPRAR.it/guide-normative/modulistica-SPRAR>



- o the valid passport, with relative visa (when required), or other document recognized by the Italian authorities,
- o the identity certificate issued by the diplomatic or consular representation in Italy of the country of origin (with relative photo of the interested party),
- or valid residence permit,
- or the identity card issued by the municipality of residence

- Registration to the National Health Service: the registration to the National Health Service (SSN) is a right/duty for all applicants and holders of international protection; it is a necessary requirement for access to health services and prevention and treatment services. The persons who benefit from the SPRAR services can proceed to the registration with the NHS at the local health authority (ASL) of the place where they live (the domicile indicated in the permit of stay). The local ASL will give the interested party a form to complete, so it is important that the person concerned be accompanied by the operator. To complete the registration it is important to present:
 - o the residence permit (or certification attesting the expected release);
 - o fiscal code;
 - o or self-certification of the domicile

The registration is valid for the entire period of the permit and must therefore be renewed upon the expiration of the same. Registration is also valid for all dependents. The validity also covers the period relating to a possible appeal, upon presentation of the presentation receipt.

Registration allows the beneficiary to choose the general practitioner and/or pediatrician, to access the family counseling centers, mental health departments, emergency services and the legal medicine service, where he can attest to the psychophysical state in case of abuse, torture or violence.

The procedure for the recognition of international protection is one of the main elements of the taking charge of asylum seekers. The taking charge of a single person is a complex process that must be set on a complete survey of the needs of the beneficiary. The operator supports the beneficiary in the legal and administrative procedure for the request for international protection coordinating with the host team. The taking charge of the applicants provides a health screening as the first step for access to social and health services. This first step leads to the identification of an intervention path for the support and rehabilitation of the beneficiary that will then be presented to the Territorial Commission during the recognition hearing. This is why is important for the legal operator to coordinate with the team of social-health assistants, psychologists and educators, and to be aware of the different areas of the position of the beneficiaries, even when they are outside their specific competences. Only in this way the operator can have a holistic and comprehensive approach to the project of welcoming each individual beneficiary. Cooperation and assertiveness within the working group together with active listening and an in-depth interpretation of the beneficiaries will facilitate the taking charge of the applicants and the success of the operator in the process of legal accompaniment for the purpose of recognition of international protection.

2.4 The procedure for the recognition of international protection

2.4.1 Presentation and formalization of the application

The applicant must submit an application for international protection to the Border Police or to the territorially competent Police Headquarters, based on the person's residence. The willingness to request international protection can also take place orally, in the presence of a cultural mediator or interpreter. If



the request has been presented to the border police, this authority will have to formally invite the foreigner to report within eight days to the competent police headquarters to formalize the request. The police office that receives the application, sends it to the police headquarters of the applicant; for this reason it is necessary that the applicant elects a domicile promptly. If the applicant does not go to the office indicated in the established terms, it will be considered irregularly present on the national territory.

The Police Headquarters then draws up the minutes of the applicant's declarations, by completing the C3 form (attached).

The applicant is informed of the procedures in a language understandable to him, usually the first that is indicated. If not available, communications will be provided in English, French, Spanish or Arabic. Notifications will instead be delivered to the address of the applicant.

The individual applications are examined by the territorial Commission of the constituency where the application was submitted. The notification of the date of convocation for the hearing with the Commission takes place by the Police Headquarters. The hearing is not a public session and the applicant may be accompanied by support staff, guardians or parents (in the case of minors).

During the hearing the presence of an interpreter of the same language as the applicant, or of a language understandable to him, is guaranteed. In the event of the applicant has problems with understanding, the session may be interrupted and postponed.

If during the preliminary investigation the Territorial Commission acknowledges that the conditions for the recognition of refugee status are met, the interview is omitted and the Commission adopts the decision. The offices of the Police Headquarters are immediately informed and provide notification to the person concerned. In contrast, the Commission proceeds with the scheduling of the interview in the first available session.

During the hearing the applicant can bring with him documentation proving his or her application for asylum and protection, thus making himself collaborative. The hearing is divided into two phases:

- An identification phase (in which the data entered in the C3 form are confirmed), and
- A narrative phase of the experience that led the applicant to seek protection in another country. During this phase the applicant describes the journey undertaken to arrive in Italy, the motivations that have pushed him and will be able to deepen the most personal aspects.

The legal operator will have to illustrate the context in which the applicant's coercive migration developed to make it clear how much the applicant's actions were due to the violence he suffered, the gender or the social group to which he/she belongs.

The Territorial Commission with a written and motivated act can:

- Recognize refugee status. The applicant will then receive a certificate for obtaining a refugee residence permit;
- Recognize subsidiary protection if there are reasonable reasons for the applicant to take effective risks of suffering serious harm if he is repatriated;
- Reject the questions if the conditions for the recognition of refugee status or for international protection are lacking;
- Request the Quaestor to issue a residence permit for humanitarian reasons in case of rejection of the application.

In any case, the decision of the Commission is promptly sent to the Police Headquarters for notification to the applicant.

If the applicant is unable to present himself before the Commission, he/she can communicate it promptly and, if the information is received on time and the reasons are accepted, obtain a postponement of the hearing. If the applicant fails to appear at the hearing without giving any prior notice, the Commission will proceed by deciding on the basis of the available documentation.

As required by the Dublin III Regulation (EU Reg. 604/2013 - in force since 1 January 2014), after submitting the application, the police draw up the report of the declarations and initiate the procedure for determining the State responsible for examining the question. The regulation wants it to be the state who



has played an important role in relation to the applicant's entry and residence to examine the application for international protection.

In order to support the applicant, the legal operator must bear in mind the obligation for States to conduct an interview with the person concerned and the obligation to pursue the best interests of the child. The operator must therefore clearly communicate to the applicant that:

1. The State where a family member who has obtained international protection is always competent (the interested parties must express their wish in writing);
2. The State where a family member who has applied for protection is still competent, on which a decision has not yet been taken;
3. The decision of the transfer must always be communicated to the applicant, who has the right to appeal;
4. It is not possible to transfer an applicant to another state if there are reasons to believe that the person concerned risks inhuman and degrading treatment.

2.4.2 Institutional actors

The “Questura” (Police Headquarters – in Italy, it is an office of the public security department with provincial competence, belonging to the Ministry of the Interior. It is governed by a quaestor) is the main actor for the recognition of the status of applicants for international protection. The Police Headquarters receives the request for protection from the applicant and initiates the recognition procedure. The Police Headquarters is in charge of:

- Verify the identity of the person,
- Inform the applicant of the procedure to be followed,
- Formalize the demand through the verbalization and the photo investigation,
- Start the procedures for determining the State responsible for examining the application for protection,
- Collect and send the documentation relating to the applicant to the Territorial Commission,
- Release the residence permit or renew it,
- Issue documents or travel documents to refugees or holders of protection,
- To notify the applicant of the hearing at the Territorial Commission and the measure taken by the Territorial Commission,
- Notify the expulsion order and
- Issue the notice to leave the territory.

The “Prefettura” (a peripheral organ of the Italian Ministry of the Interior that acts as general representative of the government on the territory of the Province or the Metropolitan city) it is in charge of:

- The first assistance to the applicants,
- Assessment of the applicant's means of subsistence,
- Verifying the availability of reception places,
- Reporting to the SPRARs of applicants and holders of international protection in need of reception,
- The transfer of people in the identified structures,
- The communication to the competent police headquarters and the territorial Commission of the structure where the applicant was transferred,
- The emanation of the eventual expulsion of the applicant.



The Territorial Commission for the Recognition of International Protection is the body that deals with evaluating requests for international protection and recognizing refugee status, granting subsidiary or humanitarian protection, or rejecting the application. It is presided over by a prefectural official and is composed of a State Police officer, a representative of the local authority and a representative of the United Nations High Commission for Refugees.

2.5 Legal orientation

2.5.1 Accompaniment in “questura”

As soon as the applicants are accompanied in one of the SPRAR accommodation facilities, the operators will take care of accompanying them to the competent Police Headquarters to signal their presence in the territory and to verify the times for the reception of the practice and its completeness.

The operator in charge of the bureaucratic prophylaxis of the applicant, accompanies the person concerned to the police offices to proceed with the first steps. These procedures includes the communication of the presence on the territory, the verbalization with the completion of the C3 form or the issuance of the permit living room. That is why the operators maintain a constant relationship with the police.

During all phases of the legal proceeding of each applicant, the presence of an interpreter or cultural mediator is essential to ensure complete understanding by the person concerned. But is up to the operator to mediate between the beneficiary and the police officer and monitor the status of the request together with the applicant to intervene only if difficulties or complications arise. The aim is to make the beneficiary acquire complete autonomy also in the management of legal practices, and therefore to gradually reduce the presence of the operator.

2.5.2 Management of relations with the Territorial Commission

The operators of SPRAR territorial projects must take care to send to the Territorial Commission:

- The lack of presence of the applicant at the hearing, specifying the reasons and attaching a certification;
- An integrative memory before the audition;
- Request for information regarding the procedure and practice of each applicant;
- Request to be examined at the hearing by a commissioner of the same sex as the applicant, always specifying the reasons;
- Request for postponement of the hearing for serious reasons relating to the applicant and duly justified;
- Request for access to documents relating to the procedure of a beneficiary, by or on behalf of the person concerned.

2.5.3 Preparation of the personal memory

Personal memory can be written before verbalization at the police station or before the hearing with the territorial commission. In the first case, the person in charge of the competent office makes it possible to attach other documents such as declarations from the applicant to the C3 model.

The personal memory is intended to illustrate the applicant's history, the reasons that led him to leave the country of origin and to seek asylum in Italy. The role of the operator is essential to support the applicant in retracing his story and reconstructing the memory of his often painful past. Although it is difficult to define



a single way for the preparation of the memory, some general indications can be given to the operators. Usually the writing of the memory is preceded by a series of interviews between the operator and the applicant in which the most significant events of the applicant's course are brought to light. The reconstruction of the applicant's personal history is relevant above all to prepare the person concerned for the hearing with the Commission. Applicants often tend to focus on aspects related to the political situation of the country of origin without dwelling on the personal events that led them to seek protection in another state. Individual motivations are more important for the examining commission, which will have the opportunity to identify the well-founded reasons for the request.

To ensure greater consistency with the real facts and lower risk of contradiction, the applicant is allowed write the memory in his own language. The operator will take care of the translation of the memory drawn up by the applicant. Even the operator himself can write down the memory for the request, based on the information that emerged during the interviews and interviews with the person concerned. To make sure of the reconstruction, the applicant, along with the operator, will re-read or listen to what is written and check the chronological sequence and the circumstances described. The operator must duly inform the applicant of the importance of correctness in citing events and incidents, especially before the Commission during the hearing. During the audition there is a high risk of inaccuracies on the part of the applicant, so the control of sequential episodes and the reliability of reconstruction has a high priority at the time of preparation for the hearing. This phase will help the requester to reorganize the thoughts and not to risk contradicting during the hearing.

Some operators prefer to provide the applicant with a dossier, usually a transparent sheet binder with a transparent pocket on the cover. A summary of the memory must be inserted in the pocket, while the memory and the other attached documents, in the order in which they are mentioned in the memory, must be collected inside, for example:

- Reports on the country of origin of international organizations;
- Medical certificates attesting to torture or violence suffered, situations of physical or mental disability;
- Photos;
- Copies of other personal documents of the applicant;
- Articles of newspapers;
- Declarations by employers, teachers, tutors;
- Other documents that can demonstrate the reliability of the statements.

Before the hearing, a copy of the file must be sent by post to the Territorial Commission, possibly by fax or e-mail to the Commission. It is always advisable that the applicant has with him a paper copy of everything that was sent during the hearing.

However, it is up to the operator to assess whether it is more appropriate to prepare the dossier or to allow the applicant to present his/her story in his/her own language.

2.5.4 Audition preparation

Preparation for the interview is a key phase for the recognition of international protection. An operator must be able to establish a relationship of trust and sincerity with the applicant. During the preliminary interviews, the interviewer must know how to ask suitable questions and ascertain the truthfulness of the applicant's statements. This is why it is important for the operator to know the applicant's history and to be informed of his previous statements. Knowing the gaps or contradictory information is important for the purpose of the hearing that is when the commission must assess the reliability of the testimony presented. The operator must therefore inform the applicant of the risks involved if the Commission finds contradictions between what was declared in form C3 and what was expressed during the hearing.

Applicants are quite often eagerly awaiting the call and the approaching day of the hearing. The operator must help the applicant to face the wait in a serene manner and to see the hearing as an opportunity to recount his own past. The narration of personal history and the events that led the applicant to apply for



international protection must be consistent and plausible and the preparation of the memory is certainly useful to the applicant to rearrange the memories.

Supporting the applicant in retracing his path is one of the most complex steps for the operator. This is well explained because one of the consequences of traumas suffered by migrants is the confusion of memory that does not allow him/her to chronologically order events or fix names and places. For this reason the operator must know how to ask timely and targeted questions without affecting the interviewee's sensitivity. If necessary, the hearing can be simulated by reproducing the context of the interview and asking the interested party questions similar to the one that the Commission would ask. It is important to give the applicant a detailed picture of how the interview will take place and to provide him with the necessary support to prepare himself properly.

The interview is usually structured as follows:

- Summary of the rules governing the asylum procedure and the rights of the applicant;
- Control of the applicant's personal data;
- Tale of the travel itinerary by the applicant;
- Exploration of the context in which the applicant used to live: family composition, level of schooling, work performed;
- Ethnic affiliation and political orientation (in what political militancy takes shape);
- Reasons for which the applicant has left the country;
- Fear of the applicant in case of return;
- Integrations by the applicant, if necessary;
- Verification of the minutes.

To cope with the hearing, the operator is also in charge of preparing the interpreter. The need of the interpreter can sometimes hinder communication even further. Before the audition the operator, must take care of instructing the interpreter on how the hearing takes place and how the questions must be addressed to the applicant. The interpreter must understand that he must remain neutral and objective throughout the audition. The interpreter will have to take notes during the interview, slavishly translate what is being said and not embellish or summarize the translation. It is important for the operator to make sure that both the operator and the interpreter are at ease.

2.5.5 The Audition

The hearing is the central moment for the clarification and evaluation of the request for international protection. The interview represents the opportunity for the applicant to express all the reasons for the asylum application and the fears and risks involved in the event of repatriation. For the Commission it is instead an opportunity to acquire and evaluate all the elements necessary to make a conscious and informed decision.

The examination of the international protection application is carried out on an individual basis and provides for the evaluation:

1. Of all relevant facts concerning the applicant's country of origin;
2. Of the declaration and of all the documentation provided by the applicant who must disclose whether he has already suffered or is likely to suffer persecution or serious damage;
3. The personal situation and individual circumstances of the applicant, his social status, sex and age to assess whether such circumstances may represent a cause of persecution or serious harm in the country of origin.

In the event that the applicant is in a vulnerable category (victims of torture or violence, for example), support staff will be present at the interview to assist the person concerned during the hearing.

As previously seen, at the outcome of the individual examination of the application for international protection, the Territorial Commission can decide to:

- Recognize refugee status under the 1951 Geneva Convention;



- Do not recognize refugee status but confirming the existence of subsidiary protection requirements;
- Reject the application for international protection but ascertain the existence of humanitarian protection requirements in favor of the applicant;
- Reject the application for international protection and consider non-existent humanitarian protection requirements.

If the applicant is not accepted or retained, the appeal to the Court must be submitted within 30 days from the notification of the decision. In such cases, the lodging of the appeal suspends the effectiveness of the contested provision.

2.6 The taking charge of minors

The unaccompanied foreign minor (MSNA) is a third country national or stateless person under the age of eighteen who enters the territory of the member states of the European Union without being accompanied by an adult responsible for him.

The reception of the MSNA is carried out within the SPRAR where the actual unaccompanied condition of the minor is ascertained and a path of socio-educational integration is foreseen. If during the period of reception the certainty of the presence of relatives, compatriots or people available to take charge, the child can be entrusted to these always guaranteeing a path of protection and protection.

The SPRAR entities in taking charge of the unaccompanied foreign minor must guarantee:

- The rights of which the unaccompanied foreign minor is the bearer according to the national and international regulations in force;
- Regularization of the legal status of the minor, otherwise exposed to a condition of risk and weakness;
- The gradual launch of the minor towards autonomy and inclusion in the social fabric of the territory, always keeping in mind its superior interest.
-
-

In the case in which the child is accepted in a structure, this must be duly authorized and certified for this purpose and must respect the relationship between the number of the staff and that of the users.

At the age of eighteen, it is important for the newcomer to experience a semi-autonomous living, organizational and relational situation. The goal is to accompany the young adult to autonomy. In this phase the work of the operators will be less incisive and constant and already measures for the insertion to work can be activated.



2.6.1 Family custody

Another form of reception is family custody that is characterized by more stability and continuity, also for the child. In fact, the national legislation establishes that the minor has the right to live, grow and be educated in the context of a family. Entrusting is therefore a form of reception of high educational value if it takes into consideration the context and characteristics of unaccompanied minors.

Family custody is managed by the social services of the local body that deals with the reception of the minor, for this reason it is necessary to ensure an adequate collaboration between the various actors who deal with it.

The careers play the effective and educational role of a family but are also the main protagonists of the path of integration of the child. The task of the careers is very delicate and for this reason their selection must be accurate.

It is therefore recommended that the staff be adequately trained within the SPRAR and that the careers have the correct awareness and training. To ensure the success of the work of the team it is necessary that there is a strong collaboration and synergy between the subjects operating in the territory, from the court for minors to employment centers and schools. It is in fact a matter of setting up a network of institutional collaborators and not able to support the minor in the integration process. The actions must not only be synergistic but also integrated, so the interventions must be aimed at:

- Learning Italian language;
- Legal orientation;
- Orientation and access to local services;
- The measures prepared by the professional educator, the social worker and the guardian;
- The emergence of situations of vulnerability (torture and violence suffered, trafficking, psychological fragility, etc.) and the relative measures of support, management and rehabilitation;
- The general health condition, both physical and mental.

The socio-educational project to be set up must be individualized and aimed at integrating into the context. In order to guarantee the child moments of connection with the family of origin, it is important to guarantee him the necessary tools to maintain contact.

2.6.2 Taking in charge and protection of minor with no custody

The taking charge of unaccompanied foreign minors is usually entrusted to the Municipalities. In most of the cases, it is in fact the Communities for minors and the family houses that take care of unaccompanied minors. Only on a residual basis unaccompanied foreign minors are taken over by the SPRAR projects.

Every minor must be reported to the Public Prosecutor's Office at the Juvenile Court. For each minor, the judge must be asked to protect the protection.

If minors do not express the desire to request international protection, a report must be sent to the Directorate-General for Immigration and Integration Policies of the Ministry of Labor and Social Policies, through "Form A" and following the procedures indicated on the Ministry website⁸. This report is of particular relevance for the procedure for applying for a residence permit at the age of eighteen.

⁸ http://www.lavoro.gov.it/AreaSociale/Immigrazione/minori_stranieri/Pages/default.aspx



For the issuance of a residence permit, the appointment and presence of a guardian are essential. The application must be submitted to the competent Police Headquarters and must be accompanied by the most information concerning the person concerned. The Police Headquarters issues a residence permit for minority after having ascertained their identity (name, surname, age, gender, nationality). If there is uncertainty about the identity of the minor, the presumption of minor age always prevails and the interested party will still be considered a minor. The residence permit for minor age is valid until the age of eighteen. This permit will be convertible into other types if the Directorate General for Immigration and Integration Policies of the Ministry of Labor and Social Policies has issued a positive opinion or if the newcomer, present in Italy for at least three years, has been included for at least two years in a social integration project, have accommodation, studies or jobs. To obtain a positive opinion from the General Management it is necessary to proceed with a formal request, using the form available on the Ministry website which must be filled in electronic format and sent by e-mail to the e-mail address listed below⁹. It is advisable to send it a month before the age of majority, and inform the police headquarters if the minor is 18 years old. In this way, the Police Headquarters must await the response of the Directorate concerned before proceeding with any measures.

2.6.3 Application for international protection

The presence of a guardian is also required for the request for international protection. The first step will be to complete and sign the C3 model and prepare personal memory with the help of the operator and cultural mediators, as in the cases dealt with at the beginning. The next steps are those mentioned for adults.

Given the minority of the applicant, the procedure at the Territorial Commission will be more delicate. The minor will also be accompanied here by the guardian and support staff if necessary. The child must be able to face the hearing with serenity and awareness to clear up the memories. Even in the case of minors, the simulation is recommended, often to prepare the minor in front of the criticalities that may occur. The minor must therefore be duly informed of the rights and duties related to the status or permission granted to him after the hearing.

The Dublin procedure obliges States to take into account during the evaluation the child's best interests, the possibility of family reunification and the well-being of the child. It will be the State in which there are family members or acquaintances willing to take care of the child to evaluate the request, even following the preferences of the child.

⁹ http://www.lavoro.gov.it/AreaSociale/Immigrazione/minori_stranieri/Pages/Invio-segnalazioni-dei-minori-stranierinon-

[accompagnati.aspx#Disposizioni%20generali%20di%20invio](http://www.lavoro.gov.it/AreaSociale/Immigrazione/minori_stranieri/Pages/Invio-segnalazioni-dei-minori-stranierinon-accompagnati.aspx#Disposizioni%20generali%20di%20invio)



2.6.4 The individualized educative project

The individualized educational project serves to indicate the objectives set in the project of taking charge. The project is built and shared by the host organization team and traces the educational paths and methodologies of the commitments undertaken towards the minor. It is essential that the minor is the protagonist of his individualized educational project and that he is therefore informed and involved. Planning periodic meetings with the minor will be useful to verify first if the objectives of the project have been achieved and respected, and second to understand which and if there are critical issues to be solved. This approach ensures that the child acquires awareness of his path and greater autonomy.

There is no predefined model for the individualized educational project because it must adapt to the individual beneficiary by adapting to the peculiarities and opportunities offered by the territory in which the child is located. In the individualized educational project must be indicated:

- The operator responsible for its implementation;
- The medium and long-term objectives to be achieved in community or with family custody;
- The definition of the interventions and their implementation modalities, specifying the subjects to which they are responsible for their implementation - if the team and/or the foster family or the minor himself, for example - and the external interlocutors to the project to be involved: the school, the third sector, the employment center, the ethnic community of reference of the minor and, in general, the socio-cultural context of the territory;
- Network work with local institutions that collaborate in achieving the objectives and carrying out the planned interventions;
- Definition of the time necessary for carrying out the interventions and achieving the objectives;
- Project monitoring and evaluation activities;
- The phases of completion of the project.

2.6.5 The fulfillment of majority age

This moment is particularly delicate for the minor, for the personal implications s/he feels and for the responsibilities it implies. The youngster must be accompanied towards full autonomy. At this stage the young person must be encouraged to become aware of his/her rights and duties and of all the opportunities that open up for him. It is the task of the team of operators to stimulate the transition into semi-autonomy.

Annexes

Allex I: Model C3



Mod. AA.EE.
N. 298

Mod. C/3

**RECORD OF THE DECLARATIONS OF FOREIGNERS WHO ASK FOR THE
RECOGNITION OF THE REFUGEE STATUS IN ITALY IN THE SENSES OF
GINEVRA CONVENTION OF 28 JULY 1951**

(Law n.189 of July 30th 2002 - G.U. n. 173/L del 26-8-2002: D.P.R. of September the
16th 2004 n. 303 del 15-5-1990 - G.U. n. 299 del 22/12/2004)

1. (Surname) (name)

.....
(paternity)

.....
(maternity)

.....
(Sex)-M/F

.....
(date of birth)

.....
(place,State)

.....
(Residence inItalia:City)

.....
(Street)

2. Citizenship a) at the birth.....b)actual.....

.....
(Specify the reasons of eventual change of citizenship: naturalization, option, marriage)

c) Stateless (to specify reasons).....

3. a) Ethnic group..... b) Religion.....

4. Identity or travel documents he/she possess

.....
(to specify type and number, place ad date of release, expiration date)



4. Family status

(to flag the corresponding box)

a) unmarried/maiden

b) conjugated

Name of the spouse.....

(To point out the complete generalities, the actual abode and to specify if you/he/she has advanced analogous application of recognition of the status of refugee)

divorced separate widover

c) Sons (legitimate, natural, etc.), actually in Italy

	1	2	3	4
Surname				
Name				
Sex				
Date of birth				
Place of birth				
Citizenship				
Profession				
Current residence				

g) Sons remained in their country or in others:

	1	2	3	4
Surname				
Name				
Sex				
Date of birth				
Place of birth				
Citizenship				
Current residence				



10. Languages fluently spoken.....

11. Military service(situation).....

12. a) date of the last departure from the origin country, of belonging and/or residence

b) you/he/she has transited or sojourned in other countries before to come to Italy?

.....
(If yes, please point out the period of transit or residence)

c) When he/she entered in Italy?.....

d) Trough which border?.....coming from:.....

.....

e) With which document? (Specify if with a visa to enter).....

.....

f) How did he/she get the document and the eventually visa to enter?.....

.....

g) Has he/she suffered sentences in Italy? yes no
(flag the corresponding box)
(if yes, specify the nature of the sentence, periods and places of eventually detention).....

.....

.....

.....



13. Has he/she already asked for asylum or recognition of the refugee status in another country?

(if yes, specify where, when and the result of the application)

.....
.....

14. a) What funds it aims to pursue to its stay in Italy?

.....

b) Do you willing to emigrate in another country?.....

(to specify which)

15. Belonging to political, social or religious organizations(if yes, to indicate the period and under what capacity)

.....
.....

16. Reasons for which he/she left his country of origin and/or reasons for which he does not intend or cannot return (on sheet to be attached, duly signed, the person concerned freely writes in their original language or in Italian, English, French, Spanish, all the reasons for which he was pushed to expatriation and to the request for the recognition of refugee status, presenting any documentation in his possession and specifying, where appropriate, convictions suffered periods and places of detention).).

17. Requests to be heard personally by the competent Commission to the Recognition of the status of refugee, assuming responsibility for any expenses related to a possible travel and stay?

sì no (to flag the corresponding box).

18. To specify at which address should be notified eventual communication

.....
.....



5

- 19. I hereby declare that the contents of these minutes have been read to me in a language I have known, which I have freely referred to on all the reasons that led me to apply for recognition of refugee status and that I have nothing else to add.

Done, read and subscribed

Signature of the declarant

.....

Signature of the interpreter

.....

Signature of the recorder agent

.....

=====

Place and date.....

Stamp of the office and of the P.S. agent



Annex II: Model B

To send to the central service SPRAR only by e-mail:
info@serviziocentrale.it or serviziocentrale@pec.cittalia.it

To:

A: SPRAR Central Service

Body:

Referent:

Tel.:

Fax:

(Se compilato a mano, scrivere in stampatello)

Application of insertion of beneficiaries in the System of protection for applicants kindergarten and refugees

Report body: _____
(If filled-in by hand, write in capital letters)

Handler: _____ Tel.: _____

It is note the presence on our territory of the people under you list, deprived of means of assistance and hospitality, that ask to be inserted in a territorial project of the System of protection for applicants kindergarten and refugees.

Relationship ¹	Surname	Name	Date of birth	Nationality	Residence permit	Sex (M/F)

¹ CF= Family man/father; M= wife/woman; F= son; Fm= fminor; P= relative; S= single

Note:



In attachment:

Copy of the residence permit

Social relation

Referent signature: _____

Date: _____



Annex III: ModelF

To be sent to the SPRAR Central Service only by email:

info@serviziocentrale.it or serviziocentrale@pec.cittalia.it

From:

To: SPRAR Central Service

Entity:

Referent:

Tel.:

Fax:

(If filled-in by hand, write in capital letters)

Request for inclusion of benefits in mental discomfort projects of Protection system for asylum seekers and refugees

Report body: _____

(If filled-in by hand, write in capital letters)

Referent: _____ Tel: _____

We report the presence on our territory of the people listed below, without means of assistance and hospitality, which ask to be included in a territorial project of the Protection System for asylum seekers and refugees.

relationships p ¹	Surname	Name	Date of birth	Nationality	MotherTongue	Residence Permit	Sex (M/F)

¹ CF= family man/father; M= wife/mother; F= son; Fm= minor; P= familiar; S= single

1) General Health Condition



Pre-existing physical pathologies:
Current physical affections:
Pre-existing drug therapies:
Current drug therapies:
Eventual shelter (in Italy or elsewhere): Recovery period
Reason and diagnosis at the moment of the discharge
Structure
Eventual shelter in psychiatric sector (TSO, TSV) Recovery period
Reason and diagnosis at the moment of the discharge
Structure
Other information concerning infective diseases (TBC, Hiv, Hepatitis, etc.):

2) Clinic-psychiatric data

1. Are you in charge by a medical or a specialized structure? (Yes) (No) If yes, specify the name of the medical or the structure (with telephone number) and the period of the observation:
2. Has the user assumed (or is he current assuming) psychopharmaceuticals? (Yes) (No) <i>Indicate the name of the assumed medicines, as well as the assumption period:</i>
3. Does the user accepts and collaborate in the assumption of the eventual pharmacological therapy? (Yes) (No)
4. Which are the complaint disturbance by the user?
5. Which are they and when they come out?
6. Main signs relieved by the operators
7. Has the user ever showed suicidal temptation or effected attempts of suicide? <i>If yes specify</i>
8. Have aggressive or unsocial behaviors been recorded? <i>If yes, specify circumstances and contexts</i>
9. Are they present (or they emerged in the past) problems linked to alcohol or psychoactive substances? <i>If yes, specify</i>



.....

10. Is the user able to autonomously realize ordinary life actions? *In particular, specify the user's degree of autonomously and eventually limitation in the following spheres: taking care of himself, social relations, and daily routine activities.*

.....

11. In which languages is the user able to communicate and with which level?

.....

- 3) Does the user agree to share his/her personal data with us? **Yes No**
- 4) Was the user informed about the transfer to this structure? **Yes No**

- Document to be attached:**
- a) **Social relation with a brief history about the migratory path**
 - b) **Psychological and psychiatric evaluation with appropriate certification.**

Referent signature: _____

Date: _____



Annex IV: Model of personalized project of integrated welcoming

(To be personalized based on territorial welcoming project features)

Name and Surname:

Date of entrance in the welcoming project:

Date of exit from the welcoming project:

DOCUMENTATION				
OBJECTIVES	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION
Residence permit Release Renewal Request				
Travel title Release Renewal Request				
Sanitary card				
Fiscal code				
...				
...				

PARTECIPATION TO THE WELCOMING TERRITORIAL PROJECT				
OBJECTIVES	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION



Acceptation of choabitationrules	<i>Ex. Signature of the acceptance pact and of the regulation; Sharing shifts and timetables; Sharing common areas and furniture; etc.</i>			
Managing project activities and collaboration with other host and operators	<i>Ex. Sensitization activities; Accompaniment of younger guests or recently entered in the reception; Childcare service for minors; Self-management of laboratories and internal courses for transfer of skills; Collaborations with initiatives promoted by the local authority or the managing body; etc.</i>			
Care and management of the structure	<i>Ex. Cleaning and spending rounds; Porter service; Small maintenance work; etc.</i>			
Transfer in another territory				
...				



LEARNING OF ITALIAN LANGUAGE				
OBJECTIVE	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION
First alphabetization				
Attainment of level L2				
Advanced level and/or specialized Italian				
...				

EDUCATIONAL AND PROFESSIONAL BACKGROUND				
OBJECTIVE	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION
Attainment of license diploma				
Attainment of certification and/or diploma of professional education				
New skills acquisition	<i>Ex. Participation to workshop</i>			
...				



DEFINITION OF THE PROTECTION STATUS				
OBJECTIVES	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION
Preparation of personal memory				
Preparation of the territorial commission audience				
Predisposition of necessary documentation				
Reaction to denial				
...				

KNOWLEDGE AND PARTECIPATION TO THE TERRITORY				
OBJECTIVE	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION
Knowledge of the services and the different realities of the territory (from local health services, schools, supermarkets, post offices, etc.)	<i>Ex. Direct interlocution with Asl, schools, post offices; Self-management for the expenditure and payment of utilities; etc.</i>			
Collaborations with associations and bodies				



Promotion of awareness and information initiatives	<i>Ex. Opening days for reception facilities at public; Activities in schools; etc.</i>			
...				

PATH OF HOUSING AUTONOMY				
OBJECTIVES	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION
Knowledge of the basic conditions of the lease (lease, condominium rules, utilities)				
Search for rental opportunities	<i>Ex. Monitoring of real estate agencies; Ad tracking; etc.</i>			
Identification of possible cohabitation possibilities				
...				

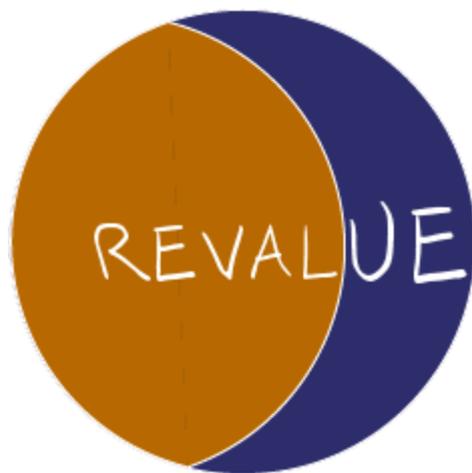
EMPLOYMENT GUIDANCE				
OBJECTIVES	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION
Identification of previous experiences and skills	<i>Ex. Skills assessment; Reconstruction of the CV in European format; Certification of the skills; etc.</i>			
Individuation of expectations				



Development of traineeship of work incentive				
Individuation of job offers	<i>Ex. Monitoring of newspaper ads; Identification of the list of companies to which the CV</i>			
...				

SOCIAL INSERTION				
OBJECTIVES	ACTIONS AND TOOLS	INDICATORS	EVALUATION	TEAM EVALUATION
Experiences of volunteering and associative life				
Building of a network	<i>Ex. Team sports activities; Participations in laboratories; Participation in associations; Construction of goodneighborly relations; etc.</i>			
Protection of health and psycho-physical well-being	<i>Ex. Dialogue and construction of the relationship with the general practitioner; Recreational and sporting activities; Self-management of possible drug therapies; etc.</i>			
...				

Module 1
IMMIGRATION LEGISLATION AND ADMINISTRATIVE
PROCEDURE
(FRANCE)





FISPE

Sommaire

Introduction	153
UNIT 1 REGULARIZATION PROCEDURE AND SOCIAL RIGHTS	153
A1.1 The asylum application procedure	153
1. Reception of asylum-seekers (the ‘SPADA’ reception center) or CAES	153
1.1 SPADA reception center	154
1.2 The centers of reception and examination of situations (CAES)	155
2. The one-stop service for asylum application (GUDA: prefecture and OFII)	155
2.1 The prefecture (normal and fast-track procedure)	155
2-2 The role of the OFII (French office for immigration and integration)	156
3. The asylum request at the OFPRA	158
3-1. Submission of the asylum request at the OFPRA (French office for the protection of refugees and stateless persons)	158
4. SOCIAL RIGHTS of Asylum Seekers	159
4-1. Health	159
4-2. The right to work	159
How to obtain the work permit	160
4-3 Family	160
4-4 French courses	161
5. The Dublin III procedure Dublin (passage through another Member State of the European Union)	161
6. Unaccompanied foreign minors	162



6-1 Obtain assistance	162
6-2 An asylum application as an unaccompanied minor	162
7. Legal assistance for asylum seekers and refugees	162
A.2 Procedures for the others migrants' status	163
1. Regularization	163
2. Long stay visa	164
3. The Contrat d'intégration républicaine (Republican Integration Contract) – CIR	165
UNIT 2 After the regularization	165
B.1 Accommodation	165
1. Social housing	166
B.2 Employment and Education	168
1. Higher Educations	168
2. Employment	168
B.3 Health	169
B.4 French courses	170
ACRONYMS	170
DEFINITIONS	171
Refugee	171
Asylum seeker	171
Migrant	171



Introduction

The content of this module is specific in some way for each country because it depends on legislation and administration system of each partner country. The points in common, for every partner country, are based on the different tasks, skills and knowledge in connection with supporting asylum seekers and refugees in their transition to the labor market and social integration by providing them the information about legislation and administration procedures. The main idea is to teach the participants how to manage all information about immigration legislation and administrative procedures.

This Module aims is to provide the participant with the sufficient competencies, skills and knowledge to be able independently provide information to the refugees and migrants that they need for legislation and administrative procedure.

UNIT 1 REGULARIZATION PROCEDURE AND SOCIAL RIGHTS

A1.1 The asylum application procedure

The asylum application procedure, modified in 2015, is still a complicated process and is sometimes difficult to comprehend ([asylum procedure](#)) into the traps laid out by the French administration. If the person wishes to seek asylum in France, he/she must pass through few organizations as SPADA, GUDA (OFII and prefecture) and OFPRA. The state and the organization as a GISTI and many others try to provide, asylum seekers and the people helping them, with the information required to submit an asylum application, to assert their rights and to avoid falling.

The person can seek asylum if she/he is a legal immigrant in France or even if she/he is illegal in terms of right of residence or if he/she has entered in France illegally. If the person has entered France with a visa, it is nevertheless advisable to apply before visa expires.

1. Reception of asylum-seekers (the 'SPADA' reception center) or CAES



1.1 SPADA reception center

In order to apply for asylum in France, it's necessary first of all to report to a SPADA reception center ([addresses given by Ofii](#)- except Ile de France) or in Paris/Ile de France to call the OFII number to get appointment with SPADA. For the Paris and in the region Ile de France, a new system is in place since the beginning of May 2018 to get an appointment in the SPADA. The asylum seeker needs to call a number managed by the Ofii and give the information about: about date of entry in France, civil status and the civil status of family accompanying the asylum seeker and his state of health. OFII will send then a SMS of confirmation at the phone number that person will give them, with the date and time of SPADA appointment. A free number was put in place: 0800 144 414. As some phone service providers (Lyca mobile) won't allow to call this kind of number, a second number (paid) is also available: 01 42 50 09 00. Some translations (English and Arabic) are insured by phone. In order to get the information in another language (Dari, Pashto, Spanish, Tamil, Mandarin), the person have to dial 4. If the person doesn't speak any of the proposed languages, he/she can try to find help with some day-center ([brochure day centers with addresses](#)).

It's very important to go as soon as possible to the SPADA (or in Ile-de-France to call the Ofii) because if the persons call/go more than 120 days ago after they arrived in France, the prefecture will place them in the fast-track process ("procédure accélérée")- not in the interest of the person -quick and superficial examination of request.

Each SPADA is managed by an association which works on behalf of the French government. The SPADA has the obligation to help asylum seekers; this organization is financed by the State to do so.

The role of the SPADA is:

- 1. To inform the asylum seekers about asylum and to** and provide them with the information documents produced by the [Ofii](#) (The French office for immigration and integration).
- 2. Help them to complete [the asylum request registration form](#)** (in the annex also) and to check that the file is complete, in order to send it to the prefecture. Even if the person does not possess a passport or identity card, the SPADA must register his request for asylum.
- 3. Make an appointment for the asylum seekers at the 'one-stop service' at the prefecture ([GUDA](#)) within 3 days** (or 10 days if the number of asylum-seekers is particularly high) and to provide them with [a notification](#) of this appointment. This can take a long time for some prefectures – then the person should in this case make contact with an association to see if an appeal is possible- too see the link below.



4. If, after the person has gone through the one-stop service, the Ofii does not offer him/her accommodation in an asylum-seekers reception center (Cada), the person must return to the SPADA which must:

- Domicile him/her (i.e. provide you with a fixed address which is very important for receiving mail);
- Fill in the Ofpra asylum request form ([GuideGISTI](#));
- Help him/her to write his asylum statement and translate it ([GudeGISTI](#));
- Help him/her to obtain Universal Health Care Cover (CMU) ([GuideGISTI](#));
- Provide him/her with special assistance (vouchers, food parcels), or direct you to the intercommunal reception service.

If the SPADA does not assist the person adequately, after being registered by the SPADA, the AS can contact an association which helps asylum-seekers ([in Paris](#) or [regional-based associations](#)).

1.2 The centers of reception and examination of situations (CAES)

In order to remedy the malfunctions of the reception procedure, the state set up a second system giving access to the asylum procedure which is spreading in the entire French territory ([see the brochure made by the State](#)). It's composed of centers of reception and examination of situations (CAES). They have been opened to insure sheltering and an examination of the administrative situation as soon as possible, before directing, more or less quickly, the asylum seekers towards their accommodations depending on their administrative status ([see the Cimade's map to know their locations](#)).

Each CAES has a specific reception capacity. The stay should not exceed ten days in theory. In practice, the stay is longer because of the recurring lack of places of accommodation for asylum seekers in France. In Ile-de-France, in order to access a CAES, either the person went through one of the three day-reception centers for isolated persons ([brochure day centers](#)) either you were spotted during a maraude.

2. The one-stop service for asylum application (GUDA: prefecture and OFII)

2.1 The prefecture (normal and fast-track procedure).

After the reception platform – SPADA, person will go to the [GUDA](#) (one-stop service for asylum application, managed by **prefecture** and **OFII**) at the date of the convocation given by the SPADA. In France, they are 34 one-stop services.

1. At the prefecture, the fingerprints will be taken to see if the person was registered in others European countries before to come in France.



2. The prefecture will also look for other evidence of passage [through another country of the European Union](#): the questions about person's journey, examination of the passport as well as other documents. Even if person does not possess a passport or identity card, the prefecture must record the information provided orally.
3. The prefecture must provide the person with a copy [3] of [the Guide for asylum-seekers](#) in a language that he/she understands and with a list of associations that can help AS.
4. After, the person receives the asylum application acknowledgement: [attestation de demande d'asile](#) valid for 1 month, which will indicate in which procedure she/he has been placed ("normal", "[fast-track](#)" or "[Dublin](#)"). This document proves that the person is an asylum-seeker. It's important to have it oneself in case the person is stopped and checked by the police (the original or a photocopy).
5. The prefecture will provide the person, in addition to the acknowledgement with [a renewal appointment date](#). He/She must return to the prefecture to renew this acknowledgement at the date indicated on the convocation, with:
 - The asylum application acknowledgement
 - [The OFPRA registration letter](#)
 - Two photos;
 - Proof of residence

It is possible that the date for this appointment is outside the period of validity of the asylum application acknowledgement, but AS protection will still be maintained. Under the normal procedure, the second asylum application acknowledgement is valid for 9 months, then renewable every 6 months. Under the fast-track procedure, it is valid for 6 months, then renewable every 3 months. The asylum application acknowledgement does not permit to freely travel between other countries of the European Union.

The prefecture can refuse to provide the person with an attestation if it is his/her second request for reassessment or if she/he is subject to an obligation to leave the French territory (OQTF). This refusal can be appealed before the administrative court ([see all the cases of refusal Art. L.743-2 of the Ceseda](#)). If the OFPRA rejects asylum application or declares it ineligible, the asylum application acknowledgement will not be renewed.

5. The prefecture must also provide the person with the [OFPRA form](#) .

2-2 The role of the OFII (French office for immigration and integration)



The OFII, a government body, must inform the person of her/his rights and deal with accommodation and asylum-seeker's allowance (ADA). The OFII will offer to the AS the chance to sign the "[l'offre de prise en charge](#)" (a formal agreement for assistance) to obtain accommodation and asylum-seeker's allowance.

1. Accommodation

The Ofii must offer the accommodation according to the number of places available at the Asylum-seekers' reception center ([CADA](#)), at a temporary reception center for asylum (AT-SA, emergency accommodation), in emergency accommodation for asylum-seekers (HUDA) or in centers of reception and orientation (CAO). If the Ofii does not provide the person with an offer of accommodation, [it will direct her/him to the SPADA](#). The person will be instructed to call 115 in order to find emergency accommodation by him/her self.

The reception center may have different operating rules but they are all subject to the same obligations ([general conditions](#)), in particular with regard to administrative, medical and social assistance ([see the center operating rules](#)).

2. Postal address

If AS are provided with "long-term" lodgings in a center, she/he will be able to use this address for your asylum procedure. [The postal address declaration form will be filled in by the center](#). If the person is not accommodated in a center, the SPADA will provide him/her with a postal address to receive a mail.

3. The asylum-seeker's allowance (ADA)

To receive ADA [\[6\]](#), the person needs:

- To be over 18 years old;
- [To declare that his/her income is less than the French "revenu de solidarité active" \(RSA – a welfare benefit\): 550 euro for one adult on their own\);](#)
- An asylum application acknowledgement (or a receipt)
- To have accepted and signed the "offre de prise en charge" at the OFII;
- [Have submitted the OFPRA form within the last 21 days](#) (except for persons under the Dublin procedure).

The ADA amount is 6.80 euro per day and per person on their own; for 2 people (10,20 euro); for 3 people (13,60 euro)...; 5,40 euro more for people without accommodations. It is advisable to open a bank account (at the 'Banque postale'). To open an account the person needs the asylum application acknowledgement



and a valid address. In case of any difficulties, he/she can ask the SPADA or the accommodation center for assistance (see "[how to open an account](#)").

4. Vulnerability

The OFII will conduct a personal interview with the person to find out [if she/he is a “vulnerable” asylum-seeker](#) [7]. For example, a person who is deemed “vulnerable” may be handicapped, pregnant or ill. She/he will then be a priority case for accommodation which must be suitable for her/his particular needs.

3. The asylum request at the OFPRA

3-1. Submission of the asylum request at the OFPRA (French office for the protection of refugees and stateless persons)

After the appointment at the prefecture, the person must fill in the OFPRA asylum request form in French and then send it by recorded delivery with acknowledgment of receipt or hand it in to the OFPRA within 21 days of the date on which you obtained the asylum application acknowledgement. If the OFPRA considers that the person’s file is complete he/she will receive a [letter of “registration of asylum request”](#).

The form can be completed at any time (up to the date of the interview). The person must send any additional information and any copies of documents supporting your claim of fear of persecution by recorded delivery letter with acknowledgement of receipt to the OFPRA. It is essential to inform the OFPRA of any change of address by recorded delivery letter with acknowledgement of receipt.

1. Request to attend interview with the OFPRA

The person will receive a notification to report to the OFPRA at the latest 2 weeks before the interview. If the OFPRA decides that your claim is ineligible or decides to close your file (see above), you will not be asked to attend this interview. Regarding the complex concepts (**Closure of asylum claim by the OFPRA and the others**) please see [the Guide for Asylum-seekers produced by the authorities](#) (in several languages).

2. The OFPRA decision

The OFPRA must as a rule decide within 6 months of the date of the interview, but this period may be longer. In the case of a fast-track procedure, the period is 2 weeks in theory but in reality its take more time. The person will then receive **refuges status, subsidiary, stateless** or will be refused. The decision will be sent by recorded delivery with acknowledgement of receipt. In case of rejection, the date of reception of the decision is fundamental because the person have 1 month from this date to make an [appeal](#).



4. SOCIAL RIGHTS of Asylum Seekers

4-1. Health

All asylum-seekers have the right to health insurance, even if they are in the “fast-track” procedure or in the “Dublin procedure” (. You do not have to prove that you been residing in France for more than 3 months. They have the right to a free complementary health insurance scheme (universal complementary healthcare cover or “CMU-C”) if they are on a low income (less than 750 euro per month approximately). Health insurance and the CMU-C allow avoiding charges and payment of medical fees or medication fees up front. To obtain this, the person must go to the healthcare insurance office (CPAM) of her/his place of residence on the date indicated on the appointment letter that the SPADA or the OFII will give to her/him.

If the person needs help in these steps, she/he can contact:

- The association which is helping you to prepare your asylum claim file; (see the list)
- The organization which is providing your accommodation;
- A community social centre (CCAS);
- The social services department of the hospital.

While waiting to obtain health insurance, the person can go to the department for access to healthcare ([permanences d'accès aux soins de santé \[PASS\]](#)) which is present in some hospitals. A social worker will assess his/her social situation and help the person to find a doctor.

It is possible also to contact the reception and orientation centers (CASO) run by the [Médecins du Monde](#) association:

- [62 bis avenue Parmentier 75011 Paris](#) from 9.00am to 12.00pm – arrive at 8.30am to take a ticket ;
- [8-10 rue des blés 93210 La plaine Saint Denis](#) on Mondays, Tuesdays and Thursdays from 9.00am to 1.00pm and from 2.00pm to 5.00pm; on Wednesdays from 2.00pm to 5.00pm and on Fridays from 9.00am to 1.00pm.

4-2. The right to work

The asylum seekers do not have the right to work during the first few months of asylum claim in France. However, the person can request an authorization to salaried work 9 months after the submission of asylum claim:

- If the OFPRA has not made its decision regarding asylum claim;
- If an appeal has been submitted to the Cour nationale du droit d'asile (CNDA).



How to obtain the work permit

1. Find an employer and get them to complete a file including:

- A contract of employment (it has to be for a period longer than 3 months) made up [on a special form\(instructions\)](#);
- [Several documents regarding the company.](#)

2. Report to the prefecture of department of residence with this file.

The prefecture may grant or refuse a work permit (for example if there are many unemployed persons in France who could hold this post...). In case of refusal, the person can appeal this decision before a court: to do so, it will be important to [contact an association for the protection of foreigners](#) or a lawyer. When the person has obtained a work permit, she/he may begin working for this employer. She/he must not change employer; the work permit is only valid for the employment contract that he/she has presented to the prefecture. At the end of the contract (fixed term, interim work), or in the case of involuntary redundancy, the person has the right to:

- Register with [Pôle emploi](#);
- Possibly benefit from vocational training (contact Pôle emploi for details).

4-3 Family

In OFPRA form, the person need to state the names, dates and places of birth of her/his partner or spouse, the date of your marriage, even if it was a religious marriage . Also she/he needs to state the names, dates and places of birth of the children.

If the person is granted refugee status or subsidiary protection, members of his/her family have rights:

- Her/his spouse, civil partner, or common-law spouse;
- Children and those of spouse, civil union partner, or common-law spouse;
- Ascendants if the person is a minor and not married.

If the family is in another country the person can request a “regroupement familial” like other foreign nationals. The conditions are strict: holding a residence permit for over 18 months, stable income (minimum wage at least), appropriate accommodation.

An asylum-seeker or refugees who are living in France have the right to marry ([CJ mariage](#)) and to sign a civil partnership ([NP Pacs](#)).

Whether you are an asylum-seeker or a refugee, children have the right to be enrolled in schools which are located in your place of residence (between the ages of 3 and 16 years).



For more information see a guide of GISTI.

4-4 French courses

All the migrants have the right to go to the French courses. They are provided by associations with the very low price or for free. For the addresses of the associations in Paris to see:

<https://www.paris.fr/services-et-infos-pratiques/social-et-solidarites/droits-des-citoyens/apprendre-le-francais-a-paris-2959>

5. The Dublin III procedure Dublin (passage through another Member State of the European Union)

If it is proven that the person has traveled through another EU country, she/he is placed in the Dublin procedure; she/he will then attend an individual interview with a translator. The prefecture must provide him/her with a detailed report of the interview.

The prefecture must also provide the AS with an information brochure on the Dublin in a language that he/she understand: [one on the taking of fingerprints \(brochure A\)](#), [one on the "Dublin" procedure \(brochure B\)](#) and [one about the Eurodac regulation](#).

Even if it is not the State responsible for the asylum request, France still has the possibility to assess the request (in particular article 17 of the regulation: discretionary provisions). This is why the person must provide the prefecture with any information which could encourage the French authorities to assess her/his asylum application, such as:

- Having received a residence permit or a visa from France in the past;
- The legal presence in France of members of family, who are seeking asylum or who are protected;
- Ill treatment the person has experienced while in the EU country to which it is intended to return her/him.

During this time the person:

- Cannot make a request for asylum in France (at the OFPRA). The prefecture will provide him/her with a special asylum application acknowledgement under the "Dublin procedure";
- Has the same rights as other asylum-seekers (asylum-seeker's allowance, protection against illness, education of your children...) but do not has the right to a place in an accommodation center for asylum-seekers (Cada) but in another type of center ([factsheet 2-2](#)).
- Can be placed under "house arrest" ("assignation à résidence") during part of the procedure and even be placed in a detention center, before being sent to the State responsible for asylum request. Detentions are more and more frequent especially since the adoption of the law of the



20th of March 2018 legalizing the detention for most people in the “Dublin” procedure considering that there is a “non negligible escape risk”.

6. Unaccompanied foreign minors

6-1 Obtain assistance

The person is classed as an unaccompanied foreign minor if he/she is less than 18 years old and she has no legal representative in France. France has the obligation to protect him/her until reach adulthood (18 years old), even if the person has not made an asylum application. The person has the right to make an asylum application. However, he/she is advised to start by requesting a child protection procedure from the [ASE](#) (accommodation, schooling...). To decide if it will take responsibility for the person, the child social assistance service (ASE) of his/her department **will check during an interview that she/he is less than 18 years old and that she/he is genuinely unaccompanied in France:**

- The person must describe his/her journey from her/his country of origin;
- If she/he has identity papers, they will be examined.

6-2 An asylum application as an unaccompanied minor

Requesting assistance from the ASE does not prevent the person from requesting asylum. The procedure is the same as for an adult. The person must be represented by an ad-hoc guardian (AAH) to make and submit the request. This person will represent the AS and assist her/him in this process. The AAH does not necessarily have extensive knowledge of asylum: AS must ask for help from one of the specialist associations. The prefecture has to contact the public prosecutor to request them to provide the AS with an AAH (even if she/he is receiving assistance from the ASE).

The person as all AS may be placed into the [fast-track procedure](#) :

- She/he come from a “[safe country of origin](#)”;
- Her/his your request for reassessment is ineligible

The minor cannot be placed in the “Dublin” procedure. France has to assess his/her asylum claim even if she/he has already made an application which has received no answer, or he/she has given the fingerprints in another European country.

As a minor, the person cannot be placed in accommodation in an asylum-seekers’ reception centre (Cada), nor receive the [asylum-seeker’s allowance \(ADA\)](#). Only the ASE may accommodate unaccompanied minors.

7. Legal assistance for asylum seekers and refugees



Monday (2 pm – 5 pm)

10, rue Affre 75018 Paris (M° La chapelle)

This legal assistance service is set up by volunteer activists and by associations (ADDE, ATMF, Dom'asile, ELENA, GISTI, La Cimade).

People are received according to the emergency of the situation : people in Dublin procedure and need to make an appeal, people who have a refusal from OFPRA or people who did not manage to register their request for asylum at the end of the Dublin procedure (6 month) (those considered to be "escaping").

The person can contact the associations from the list in annex.

For more information :

<http://www.gisti.org/spip.php?article5229>

<https://guideasile.files.wordpress.com/2018/12/guide-en-7-12-2018-numerique.pdf>

A.2 Procedures for the others migrants' status

1. Regularization

<http://w2eu.info/france.en/articles/france-legal.en.html>:

The government has published November 28 2012, a [regularization circular](#). Contrary to what was done in the past, this is not a one-time adjustment (people can apply at one moment, and then it's over), this circular is of continuous application. The persons may as well submit the application in six months, a year or more. This is important, because it is better to wait to meet the criteria.

Regulation criteria are: the length of stay in France, work (which means that we have evidence that we have worked), private and family life (children at school, spouse in legal situation, exceptional humanitarian circumstances) or have arrived in France as a minor and get to the age of 18.

The circular refers to the criteria defined by the law and the jurisprudence, and suggests some improvements. Despite these improvements, these criteria are very restrictive.

So beware:

- It is a simple circular, each prefecture may choose to apply in its own way, and the criteria of the circular can't be used to attack a negative decision of the prefecture before the courts;
- It's better to apply only if the person fulfills all the conditions because a negative response will be accompanied by an OQTF (obligation to leave French territory).

For to ask advises or to be accompanied in this procedure of regularization the persons can contact a support organization: <http://w2eu.info/france.en/articles/france-contacts.en.html>.



2. Long stay visa

Within three months of migrant's arrival in France, he/she must complete a certain number of procedures connected with their right of stay:

- With the French Office of Immigration and Integration (OFII) if you have applied for a long-stay visa equivalent to a residence permit (VLS-TS).
- With the prefecture of your department for other long-stay visas that specify 'residence permit must be applied for'

Procedures to carry out if VLS-TS (long-stay visa equivalent to a residence permit)

These procedures must be carried out with the OFII. VLS-TS is not a valid residence permit unless it has been confirmed by the OFII. In order to complete this procedure, the person needs, as soon she/he arrives in France, send necessary documents to OFII (to see here for more information [Guide](#)). As soon as the OFII receives these documents, it will register file and send (via a simple letter) a certificate confirming that the person has submitted his/her file to the address that she/he specified in the form.

The person will then be called to go to the OFII, who will put a secure sticker and a date stamp in the passport. This sticker is equivalent to a residence permit for the duration of the validity of the visa.

Depending on the residence permit the person receive (including the VLS-TS), he/she will have to sign a Republican Integration Contract. To see here if need to sign the contract: <https://www.service-public.fr/particuliers/vosdroits/F17048>

The issuance of your VLS-TS does not automatically permit person to work. He/she must first register with the prefecture of her/his department of residence.

Procedures to carry out if you hold a long-stay visa containing the statement *titre de séjour à solliciter* ('residence permit must be applied for')

The procedures must be carried out at the prefecture of the person's place of residence.

The person must submit his/her application for a residence permit within two months of her/his arrival in France. If the person lives in Paris, he/she must report to the police station.

Before going to the prefecture, it's important to consult the website of the prefecture of person's place of residence, particularly in order to find out what documents to bring. The appointment can be made on-line when this service becomes available.

Appointment at the prefecture must be attended in person and it's necessary to have the originals of the supporting documents.



While waiting for the application to be processed, the prefecture will issue the person with a receipt of application for a residence permit (of duration of at least one month).

Issuance of this receipt does not guarantee the decision that will be taken by the prefect. Depending on the residence permit the person receive (including the VLS-TS), he/she will have to sign a Republican Integration Contract at the OFII. To see here if need to sign the contract: <https://www.service-public.fr/particuliers/vosdroits/F17048>

When the application has been processed, the person will be called to go to the prefecture in order to be informed of the decision. If the decision is favorable, the person will be issued with a residence permit. The person must then pay a tax using tax stamps.

The issuance of your VLS-TS does not automatically permit person to work. He/she must first register with the prefecture of her/his department of residence.

3. The Contrat d'intégration républicaine (Republican Integration Contract) – CIR

Once the procedures regarding residence permit have been completed with the OFII or prefecture **concern also the refugees**, the person will be called to come to the OFII for a personal interview.

During this interview, she/he will be presented with the Republican Integration Contract. By signing this contract, the person enters into an obligation to go through a personalized process of integration into French society.

This contract is concluded for a period one year between the migrant/refugee and the French state, which is represented by the prefect. The person will receive rights and must also comply with rules and obligations.

Through this contract, the state provides the person with support for his/her settlement in order to facilitate her/his integration. This includes the following:

- Personal interview with an auditor of the OFII
- Civic training (The principles and values of the French Republic and The procedures required to access entitlements and employment)
- A language test
- Language learning (if necessary) – For the residence permit, the person must attain level A2 in French of the Common European Framework of Reference.

UNIT 2 After the regularization

B.1 Accommodation



1. Social housing

France has social housing intended for people with a low income (income status is determined by a certain threshold). The regular migrants have a right to apply for HLM (social or low-income) housing at your town hall.. This search can be done through the social housing organization of the department in which the person wish to live, or through the town hall of the city in which the person wish to live. Person only needs to fill in this form once, even if she/he is searching for accommodation in several communes at the same time. The application can also be submit directly on-line. <https://www.demande-logement-social.gouv.fr/>

The registration of the application does not mean that the person has been given state housing.

The decision to grant social housing is made by a committee in accordance with your financial means and social situation. The waiting time for obtaining social housing can vary greatly depending on region (between several weeks and several years).

The private sector

The private accommodation can be found

- through people we know
- consulting announcements in the press or on many specialized websites
- using the services of an real estate agency

Agency fees are usually equivalent to one month of rent.

Housing benefit

If we meet certain criteria, particularly in terms of our residency and financial means, we may be able to receive housing benefit, called *Aide Personnalisée au Logement* or *allocation logement*, which is paid by the *Caisses d'allocations familiales* (Family Benefits Offices). The amount of this benefit varies according to several criteria such as financial means, the number of people living in the household and the place of residence. To learn more:

<https://www.service-public.fr/particuliers/vosdroits/N339>

<http://www.caf.fr>

If the person is working, she/he has access to the 'Résidence Hôtelière à Vocation Sociale' (RHVS) (social hotel residences), to 'Foyers de Jeunes Travailleurs' (FJT)(young workers' hostels – sign up online) and to the 'Foyers de Travailleurs Migrants' (migrant workers' hostels).

Emergency accommodations

Emergency hotel accommodation is arranged by calling the 115.

Refugees



After the reception of the refugee's status, within 6 months the person loses some rights as:
Accommodation in the CADA and right to ADA. But person has a right as all French citizens to:

[RSA](#) (income support)

[Carte Vitale](#) (health insurance card)

[CAF](#) (family allowances)

Refugees have the same access to housing as the French. If the person is in the CADA, they will help her/him to find accommodation and complete other procedures. Person can only stay there a maximum of 6 months after receiving the refugee status. It's necessary also to ask for domiciliation with an association or a CCAS to could have a postal address for administrative procedures.

Emergency for accommodation:

- CCAS (single people)
- MDSI (departmental solidarity and insertion centre) (for families) and associations.

Some associations, such as Welcome and Singa, offer temporary accommodation in families. Other associations have specific housing programs: Forum Réfugiés (the 'Accelair' program) and France Terre d'Asile ('Cap vers l'intégration' and 'Reloref').

Association for the refugees in Paris:

Emmaüs connect- Help for the on-line procedure (CAF etc...):

<https://emmaus-connect.org/paris>

Secours Catholique for the refugees and asylum seekers (CEDRE):

<https://www.secours-catholique.org/le-cedre-un-centre-dentraide-dedie-aux-demandeurs-dasile-et-aux-refugies>

Association Asile (Asile-en-France)- for the refugees and asylum seekers.

http://asile-en-france.org/index.php?option=com_contact&view=contact&id=1&Itemid=155

Sciencespo refugee help

<http://www.refugeehelp.fr/>

For more associations in Paris

<https://www.paris.fr/aideauxrefugies>

Useful sources for Refugees in France and Europe (CIEP- ENIC-NARIC)

<http://www.ciep.fr/en/enic-naric-page/useful-sources-for-refugees-in-france-and-europe>

To find more helpful information to orient the refugees in France see:

[The Refugee's Guide \(Welcome Bordeaux association\)](#)



B.2 Employment and Education

1. Higher Educations

To work or to study the first step if the person has diploma is to validate it. The procedure can be done on line with the service of the validation [Enic- Naric](#).

Studying on the public French university is free in France. The person must have B2 level to could apply for the superior education. Useful resources for more information:

https://www.reussirmavie.net/Etudiants-refugies-35-universites-lancent-une-formation-en-francais_a2726.html

<https://www.campusfrance.org/fr/system/files/medias/documents/2018-12/catalogue%20bonnes%20pratiques%20INHERE%20fr.pdf>

<https://www.univ-paris8.fr/Presentation-3921>

2. Employment

Having a job will facilitate integration into French society. There are various possibilities for finding employment:

- Paid employment: a permanent or fixed-term contract, or to register with a temp agency (offers of temporary employment that meet the one-time needs of employers).
- Self-employment: create your own company or business

It is person's responsibility to carry out the procedures necessary for his/her job search. She/he can contact:

- personal network (family, friends, acquaintances)
- Job seekers 'organizations who can help to identify career goals, make new contacts, etc.
- [Pôle Emploi](#), national employment agency which is responsible for supporting, informing and guiding people seeking work or education. Registration with the *Pôle Emploi* can only be done on-line or by calling 3949 or visiting the nearest *Pôle emploi* branch office.
- [Mission locale](#) agency for the young people (less than 26 years old).
- [Cap emploi](#) if the person has a disability.

Before looking for a job, the person needs to prepare the documents she/he might need: Curriculum vitae (CV), covering letter, degree certificates, and testimonials from previous employers, etc.

To create own company, the person can get support from the organizations which can advise and guide:



<https://www.afecreation.fr>

<https://www.service-public.fr/professionnels-entreprises/vosdroits/N16147>

<http://www.pole-emploi.fr/candidat/je-cree-mon-entreprise-@/index.jspz?id=77360>

*Refugees

After receiving their status refugees and beneficiaries of subsidiary protection have the same rights to work and access professional training as French people. Health professionals, must contact the ARS ('Agence Régionale de Santé') and consult the authorisation procedures (<http://www.cng.sante.fr/-Procedure-d-Autorisation-d-.html>).

B.3 Health

Being a member of "*Assurance maladie*" is obligatory for all people working or living in France on a regular ongoing basis. To become a member, the person must go to the office of the *caisse primaire d'assurance maladie* (his/her local health insurance office) of the department where he/she lives (whether the person is an employee or she/he has never worked in France). Minors are usually insured with their parents. The person will be assigned a health insurance scheme in accordance with your situation. Universal health protection (PUMA - protection universelle maladie) guarantees a right to care and coverage of personal medical costs to anyone who works or lives in France on a regular ongoing basis, throughout their entire life.

The person will then receive a registration number. This number is a prior requirement for obtaining your *carte vitale*. This smart card contains the administrative information required to provide you with medical care. Any medical certificate issued by a doctor, hospital or pharmacy is subject to a fee. Medical costs may be covered partially by Social Security or a supplementary health insurance plan. It's important to check with the practitioner regarding fees and reimbursement rates.

The person can subscribe to supplementary private health insurance that covers all or part of the costs (medicine, drugs, hospitalisation, care) that *Assurance maladie* does not reimburse. This procedure is not obligatory but it is recommended.

To subscribe to supplementary health insurance, the person must already be a member of *Assurance maladie*. Depending on financial means, the person may be able to receive supplementary coverage free of charge (referred to as CMU-c in French) or aid for the payment of supplementary health insurance (referred to as ACS in French) in order to reduce its cost.

To learn more:

<http://www.ameli.fr/assures/votre-caisse/index.php>



B.4 French courses

All the migrants have the right to go to the French courses. They are provided by associations with the very low price or for free. For the addresses of the associations in Paris to see: <https://www.paris.fr/services-et-infos-pratiques/social-et-solidarites/droits-des-citoyens/apprendre-le-francais-a-paris-2959>

***For all administrations helps (writing the administration letter, filling out of the papers etc.) the person can contact public writer who are volunteering the associations, library etc. We can find their contact at the city hall or at the associations.

For more useful information about living in France:

<https://www.immigration.interieur.gouv.fr/Accueil-et-accompagnement/Le-livret-d-information-Venir-vivre-en-France>

ACRONYMS

ADA – (Allocation pour Demandeur d’Asile)

Allowance for Asylum Seekers is a financial aid that can be given to adults who are in possession of their certificate of asylum seekers.

AME – (Aide Médicale d’Etat)

State Medical Aid which allows foreigners in irregular situation to benefit of free access to healthcare.

ASE – (Aide Sociale à l’Enfance)

Child Welfare Services to accommodate and protect foreign unaccompanied minors in France.

CAES – (Centres d’accueil et d’examen des situations)

Care and Situation Evaluation Centres are temporary accommodation centres for asylum seekers. They allow individuals in need to find shelters everywhere in France according to the administrative status.

CADA – (Centre d’accueil des demandeurs d’asile)

Asylum Seekers Care Centres are accommodation centres for asylum seekers that provides social and legal support.

CAO – (Centre d’Accueil et d’Orientation)

Care and Orientation Centre is an accommodation centre for asylum seekers

PUMA – (Protection Universelle Maladie)

Universal Healthcare Protection (formerly called CMU – Universal Healthcare Coverage) allows individuals with a residence permit to benefit from a free access to healthcare.

CNDA – (Cour National du Droit d’Asile)

National Court of Asylum is a court of law that makes it possible to appeal the decision of OFPRA.

CPAM – (Caisse Primaire d’Assurance Maladie)

Local Healthcare Insurance Office ensures the refund of healthcare expenses.

DEMIE- (Dispositif d’Évaluation des Mineurs Isolés étrangers)

Evaluation Device of Foreign Unaccompanied Minor is managed by the Red Cross. It ensures Care, evaluation and orientation to young foreigners. Their role is to determine if they really are minors and if they are allowed to profit from shelter as a child protection right.

GUDA – (Guichet unique en charge de l’accueil des primo-arrivants)



Unique Counter in charge of newcomer's care is a place where are gathered the prefecture's and the OFII's services. The prefecture has to register the Asylum application. The OFII receives the individual for an interview and can provide shelter and an allocation to the asylum seekers, as well as facilitate the integration of refugees and return assistance.

OFII -The French office for immigration and integration

OFPPA – (Office Français de Protection des Réfugiés et Apatrides)

French Office for the Protection of Refugees and Stateless Persons is a state's service in charge of granting or refusing the refugees status to the asylum seekers.

OQTF – (Obligation de quitter le territoire français)

Obligation to leave the country is a foreigner's expulsion administrative measure. In case of issue refusal of the residence permit or irregular residence, it forces you to leave France by your own means under a 30-day deadline. In some more limited cases, there is no deadline. An appeal is always possible.

PASS – (Permanences d'accès aux soins de santé)

Permanence of Healthcare Access is a place that's available in every hospital that can provide access to a free medical consultation, even for irregular foreigners.

RSA – (Revenu de solidarité active)

Active Solidarity Revenue is a financial aid. To obtain it you have to be looking for a job.

SPADA – (formerly PADA) Structure de Pré-Accueil des Demandeurs d'Asile)

Structure of pre-care of Asylum Seekers which welcomes the asylum seekers before their passage to the GUDA and supports them in their administrative procedures (OFPPA record).

DEFINITIONS

Refugee

Refugees are the people fleeing armed conflicts or persecution. There were 19,5 million of them worldwide at the end of 2014 according to UNHCR. Their situation is so perilous that they cross national borders to seek safety in nearby countries and become recognized as refugees with access to assistance from states and aid organizations. An important piece of this is that refugees are protected by international law, specifically the 1951 Refugee Convention.

Asylum seeker

An asylum seeker is someone who claims to be a refugee but whose claim hasn't been evaluated. This person would have applied for asylum on the grounds that returning to his or her country would lead to persecution on account of race, religion, nationality or political beliefs.

Someone is an asylum seeker for so long as their application is pending. So not every asylum seeker will be recognized as a refugee, but every refugee is initially an asylum seeker.

Migrant

There is no internationally accepted legal definition of a migrant. Like most agencies and organizations understand migrants to be people staying outside their country of origin, who are not asylum-seekers or refugees. Some migrants leave their country because they want to work study or join family, for example. Others feel they must leave because of poverty, political unrest, gang violence, natural disasters or other serious circumstances that exist there.



Lots of people don't fit the legal definition of a refugee but could nevertheless be in danger if they went home. It is important to understand that, just because migrants do not flee persecution, they are still entitled to have all their human rights protected and respected, regardless of the status they have in the country they moved to. Governments must protect all migrants from racist and xenophobic violence, exploitation and [forced labour](#). Migrants should never be detained or forced to return to their countries without a legitimate reason.

To learn more:

<https://www.habitatforhumanity.org.uk/blog/2016/09/refugees-asylum-seekers-migrants-crucial-difference/>

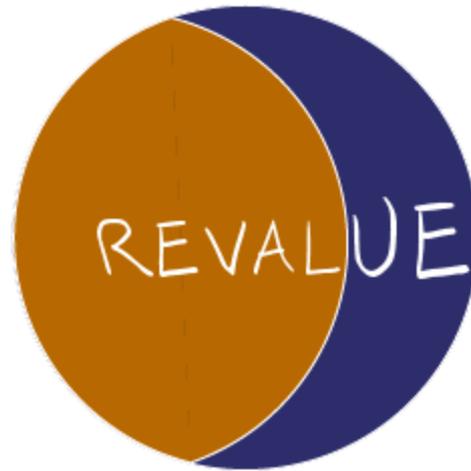
<https://www.amnesty.org/en/what-we-do/refugees-asylum-seekers-and-migrants/>

<https://lejournel.cnrs.fr/articles/migrant-refugie-quelles-differences>

<https://www.unhcr.org/news/latest/2016/7/55df0e556/unhcr-viewpoint-refugee-migrant-right.html>

Module 1

IMMIGRATION LEGISLATION AND ADMINISTRATIVE PROCEDURE. (HUNGARY)



Jövőkerék

Table of Contents

1 Introduction	174
2 Asylum procedure and international protection status	175
3 Services: accommodation, food vouchers, providing medical assistance, interpretation	178
3.1. Services Provided to Asylum-seekers – official conditions, as defined by law	178
3.3 Legal assistance	180
4 Basic personal documents.....	180
5 Education	180



6 Housing, address	181
7 Employment	181
8 Hungarian citizenship	181
9 Family reunification.....	182
10 MELLÉKLETEK.....	182
10.1 Vonatkozó jogszabályok:.....	182
10.2 Szervezetek.....	183

1 Introduction

Migrants in Hungary often find themselves in difficult situations going about their daily lives: language barriers, housing issues, seeking employment, getting healthcare treatment. There are countless special rules and regulations applying to migrants, which are being encountered for the first time even by experts, administrators, employees of state institutions who are in contact with them, which makes it even more difficult for them, to take care of their affairs. The purpose of this brochure is to provide guidance to a specific group of migrants, experts and helpers encountering asylum seekers and persons recognized as refugees or granted subsidiary protection in Hungary.

This publication is based on the laws in force in December 2018, hence it is important to take into account the possible legal changes when using it. In doing so, references noted in this publication can be of assistance, as well as the collection of laws and the list of organizations found in the appendix of the publication.

The publication was created within the framework of the REVALUE project. The ReVALUE project, supported by Erasmus+, is conceived to help migrants' integration into the labor market. The target group of the project are recently arrived refugees/persons granted subsidiary protection and asylum seekers who have recently arrived in Europe.

The project will accomplish the following tasks in partnership with seven organizations active in the European Union (seated in: Italy, France, Germany, Great Britain and Hungary):

1. assessing the formal, non-formal and informal knowledge, competences and skills of the target group, developing and applying a methodology for evaluating migrants' skills;



2. transferring new highly qualified skills to members of the target group by means of a tailor-made training course which fits their specific needs, entitled "migrant service providers" and "social entrepreneur manager";
3. by developing and implementing a traineeship program, we provide practical experience to the target group members.

2 Asylum procedure and international protection status

The objective of the asylum procedure is to establish whether the asylum-seeker is eligible for refugee status, subsidiary or temporary protection, and whether the principle of non-refoulement applies, and if not, should the asylum-seeker be expelled, extradited, or be transferred to another EU Member State by way of transfer under the Dublin process.

The asylum procedure is carried out in 60 days, covering the asylum-seeker's personal hearing. The authority has power to bring a decision in an expedited procedure within 15 days.

If there is any possibility that another EU Member State is responsible for the examination of the application, the procedure will be suspended until the competent authority of that EU Member State provides a response. The duration of such procedure depends on the co-operation of the foreign partner authorities, and may take several months.

The asylum procedure is conducted with the assistance of an official interpreter. During the hearing the applicant is asked to provide details about the reasons for fleeing, the circumstances of reaching Hungary, and to present any evidence not presented beforehand that may be available to support the application. The asylum-seeker must explain why they were forced to leave the country of origin, to justify their application for asylum, to explicate the details of their prosecution, and what is preventing them to return to their country of origin.

With a view to conducting the asylum procedure or for the purpose of transfer under the Dublin process, the refugee authority is entitled to detain the asylum-seeker.

Since 28 March 2017 applications for asylum in Hungary can be submitted exclusively in transit zones. The asylum-seeker will be in detention during the whole time of the asylum process. This measure does not apply to children under 14 years of age not accompanied by a parent or guardian. Currently there are two active transit zones, in Röszke and in Tompa.

In the asylum procedure a decision may be adopted for:

- Granting refugee status
- Granting subsidiary protection
- Granting temporary protection
- Granting humanitarian protection, which is a special permit enabling temporary stay
- Refusing the application in full
- Terminating the procedure

REFUGEE. Refugee status may be granted to a person who is prosecuted in their country of origin on account of race, religion, nationality, membership of a particular social group or political



opinion, or whose fear of being subject to persecution is well founded, and who currently resides in the territory of Hungary and submits an application for asylum.¹⁰

In order to maintain the unity of the family – unless there is a reason for exclusion – upon request, the refugee's family members – spouse, if the family relationship has been established prior to entering Hungary, minor child, or in case of a minor child, their parents and the refugee's children born in Hungary – may also be recognized as refugees.

The refugee authority is ex officio required to review each refugee status at least every three years. A refugee – unless explicitly stated otherwise by law – has the same rights and obligations as Hungarian citizens. Exemptions are: the right to vote and occupations requiring Hungarian citizenship. A recognized refugee possesses an identity card, a residence card, a document containing tax number and social security number, and a so-called travel document. The travel document which can be acquired by refugees and persons granted protection is not identical with the passport of Hungarian citizens.¹¹

The employment of refugees follows the same procedure as the employment of Hungarian citizens, i.e. it is not necessary, for example, to obtain a work permit. Employment is subject to registration¹², which is to be done in writing, sent by mail by the employer to the competent district office based on the place of employment. Registration is done free of charge and employment can start at the time of the registration.¹³

A person with the status of a refugee has the right to family reunification and may apply for naturalization under preferential conditions in accordance with the Hungarian citizenship law in case of a continuously registered place of permanent residence in Hungary for three years.

SUBSIDIARY PROTECTION. A person may be admitted for subsidiary protection if they do not qualify as a refugee but in respect of whom there is reason to believe that the person concerned, if returned to their country of origin, would face a real risk of suffering serious harm, and is unable, or, owing to such risk, unwilling to avail themselves of the protection of that country.

In order to maintain family unity, unless there is a reason for exclusion, upon request, the family member of the person admitted for subsidiary protection will be granted subsidiary protection as well, if they have jointly applied for protection or if the family member has submitted an application for subsidiary protection upon the consent of the person admitted for subsidiary protection, before the resolution for granting subsidiary protection status is adopted. Furthermore, if a foreign national who has been granted subsidiary protection status has a child born in the territory of Hungary, the child shall also be granted subsidiary protection status upon request.

The refugee authority is ex officio required to review each subsidiary protection status every three years.

¹⁰As defined in the Fundamental Law of Hungary, Article XIV, section (4): Hungary shall, upon request, grant asylum to non-Hungarian citizens being persecuted or having a well-founded fear of persecution in their native country or in the country of their usual residence for reasons of race, nationality, membership of a particular social group, religious or political belief, if they do not receive protection from their country of origin or from any other country.

¹¹For more information on acquiring a travel document, see in Hungarian:
http://www.bmbah.hu/index.php?option=com_k2&view=item&id=333:ketnyelvu-uti-okmanyok-kiallitasa&Itemid=1086&lang=hu

¹² Gov. Decree 445/2013 (28/11) 16§ (1) section b) subsection

¹³For more information on the content of the registration, see in Hungarian:
https://nfsz.munka.hu/Munkaadoknak/Lapok/munkaadoknak_szolgaltatasok/content/ma_szolg_tajek_kulfoldiek_mo_munkavallalas.aspx



A person granted subsidiary protection has the same rights and obligations as a refugee. Exceptions are the right to vote, as well as the preferential conditions regarding neutralization and family reunification. A person granted subsidiary protection possesses an identity card, a residence card, a document containing tax number and social security number, and a so-called travel document, which differs in form from the travel document issued to refugees.¹⁴

The employment of persons with the status of subsidiary protection follows the same procedure as the employment of Hungarian citizens with the obligation to register, as described above.

TEMPORARY PROTECTION. At the time of writing (2018) of this brochure there were no persons in Hungary bearing this legal status. Temporarily protected status, i.e. temporary protection, may be granted to groups leaving their home country in masses, on the basis of the decision of the Council of the European Union or the Hungarian Government. The Parliament grants temporary protection to foreign nationals arriving to Hungary as part of a mass influx on account of being forced to flee their country due to an armed conflict, civil war, ethnic conflict or the general, systematic and gross violation of human rights, in particular torture, or cruel, inhuman or degrading treatment. Refugee status and status of temporary protection differ in length, meaning that while temporary protection is granted for a specific period of time determined by the Parliament (one year that can be extended), refugee status ends when the refugee receives Hungarian citizenship, or until the status is withdrawn.

A person who is granted temporary protection has the right to a document confirming their identity, a travel document valid for a one-time departure and return, in case of the person not having the travel document of their country of origin.

The employment of persons with the status of subsidiary protection follows the same procedure as the employment of Hungarian citizens with the obligation to register, as described above.¹⁵

The Hungarian law on social security does not apply to persons with the status of subsidiary protection.

HUMANITARIAN PROTECTION. Article XIV (3) of The Fundamental Law of Hungary states: "*No one shall be expelled or extradited to a State where there is a risk that he or she would be sentenced to death, tortured or subjected to other inhuman treatment or punishment.*"¹⁶ Hungary can grant humanitarian protection to a person if they do not fulfill the requirements for refugee or subsidiary protection status, but would be at risk of being prosecuted on account of race, nationality, membership of a particular social group, religious or political beliefs if they were to return to their country of origin, or would be exposed to behavior defined in The Fundamental Law of Hungary, Article XIV (3), and there is no safe third country that would authorize this person to stay.

The refugee authority is ex officio required to review humanitarian protection status annually. A person granted humanitarian protection receives a residence permit on humanitarian grounds, which is valid for one year.

The law on social security does not apply to persons granted humanitarian protection, but the child protection law does. Persons granted humanitarian protection are not entitled to social security, in case of illness they have right to no-cost primary health care service, as well as to the services defined in Section 142, (2) subsection and the (3) subsection's e) and i) paragraphs of the Act CLIV of 1997 on Health.

¹⁴The travel document obtainable by refugees and persons under subsidiary protection is not identical to the passport held by Hungarian citizens. For more information on the application procedure, see in Hungarian: http://www.bmbah.hu/index.php?option=com_k2&view=item&id=333:ketnyelvu-uti-okmanyok-kiallitasa&Itemid=1086&lang=hu

¹⁵Act IV of 1991 2§ (2) subsection

¹⁶The Fundamental Law of Hungary



Employment is made possible by obtaining a work permit, but a review of the labor market situation is not required, if employment is supported by the refugee authority due to humanitarian reasons.¹⁷

Although not subject to the Act on Asylum, assisting professionals may encounter a stateless person during their daily work.

STATELESS PERSON. A person is considered stateless if they are not recognized by any country in accordance with its own law as its citizen.¹⁸ If a person's legal status in Hungary is stateless, they hold a humanitarian residence permit issued by the immigration authority. For more information on the conditions for recognition of statelessness, see in Hungarian [here](#).¹⁹ The process of employment is carried out according to the general rules that apply for foreigners, under the so-called joint authorization procedure. Description of the procedure can be found [here](#).²⁰ However, one can be recognized as a refugee and as a stateless person, in which case refugee regulations should apply.

3 Services: accommodation, food vouchers, providing medical assistance, interpretation

3.1. Services Provided to Asylum-seekers – official conditions, as defined by law²¹

Providing a healthy environment and adequate standard of living consistent with the basic needs of foreign nationals seeking asylum is the State's responsibility. The Hungarian State fulfills this duty principally through the Immigration and Asylum Office.

The asylum-seeker is entitled to the following aid and support on the basis of need or based on his/her individual circumstances²²:

- Covering material reception conditions, including
 - In the reception facilities asylum-seekers receive accommodation, three meals a day (or an equivalent amount of money as meal allowance), eating utensils and hygienic supplies (or an equivalent amount of money as hygienic contribution) and, if necessary, clothing. During the asylum procedure, the host institution may offer asylum-seekers the opportunity of employment within the confines of the reception center. For any work contributing to the maintenance and preservation of the reception center, the foreign national may receive a monthly remuneration of up to 85% of the prevailing mandatory minimum old-age pension (24,225 HUF). Employment is not possible in transit zones.
 - Asylum-seekers are entitled to travel allowance at public transport companies (MÁV - Hungarian State Railways, Volán Coach Transport) in specific cases.
 - Covering funeral costs.
- Healthcare²³: If the asylum-seeker is not covered by any social security system and is socially disadvantaged, they shall be entitled to access specific no-cost healthcare services. Such healthcare services shall include the following:

¹⁷ Gov. Decree 445/2013. (28/11) 11§

¹⁸ II Law from 2007

¹⁹ http://www.bmbah.hu/index.php?option=com_k2&view=item&id=439:hontalankent-valo-elismeres&Itemid=1184&lang=hu

²⁰ http://www.bmbah.hu/index.php?option=com_k2&view=item&id=437:osszevont-kerelmezesi-eljaras&Itemid=1182&lang=hu

²¹ For more information, see in Hungarian: Act LXXX of 2007 on Asylum and Government Decree No. 301/2007 (9/11) On the implementation of the Act LXXX of 2007 on Asylum

²² Gov. Decree No. 301/2007 (9/11) 18§



- primary health care,
- age-specific compulsory vaccination,
- outpatient care provided in emergency situations,
- inpatient medical care provided in an emergency situation ,
- post-care examinations, medical treatment and medical aids necessary until the recovery from the illness or the stabilization of health conditions,
- ambulance service, if justified,
- emergency dental care,
- pregnancy and obstetric care,
- medicinal products, medical aids and dressings prescribed under the fully subsidized public healthcare system to eligible persons free of charge, or with 90% or 100% subsidy.
- Reimbursement of the costs of learning and education: In order to ensure that the children of asylum-seekers receive education appropriate for their age, the refugee authority covers the costs of these children's participation in the public education system (costs of travel, meal, accommodation in a dormitory) during their stay in the reception facility.
- Monetary remuneration, within which:
 - the expenses of leaving the country permanently,
 - the aid and support described above may be restricted or withheld in specific cases. If it is later proven that the person seeking asylum had sufficient means to cover the material costs of the reception, including the costs of healthcare services (i.e. they would have been able to provide for themselves), the refugee authority may demand the asylum seeker to reimburse such costs and expenses.

3.2 Services provided to refugees and persons admitted for subsidiary protection (after obtaining the status)

Refugees and persons admitted for subsidiary protection are entitled to all social aid and support provided for by law and local regulations on the same terms as to Hungarian citizens. Their status affords rights and obligations comparable to those of Hungarian citizens.

Refugees and persons admitted for subsidiary protection have access to social security, family support, education and with certain exceptions to healthcare services on equal terms with Hungarian citizens.

As of 1 June 2016 the Hungarian state does not provide any integration support for recognized refugees and persons admitted for subsidiary protection, with the exception of a 30 day stay in the Városszabadi reception center. Integration services are only provided by non-governmental and religious organizations following the termination of state aid. The main source of this has been provided by the national allocation of the European Union's Asylum, Migration and Integration Fund. In January 2018, however, the government withdrew the call for applications for the new cycle, with the result that after the end of the current grant cycle, i.e. after 30 June 2018, a number of vital integration services were discontinued or their accessibility became limited.

Refugees and persons admitted for subsidiary protection, after being granted their status, can stay maximum 30 days in the Városszabadi reception center.²⁴ This is when the process of acquiring basic personal documents (identity card, address card, tax and social security card) starts. At this point, some documents may still not be available because of time shortage. During this month, refugees and persons admitted for subsidiary protection, similarly to asylum seekers, are entitled to:

²³ For more information, see in Hungarian the information brochure of the National Health Insurance Fund Manager: http://www.oep.hu/friss_kozlomenyek/kozlomeny_menekultek_egeszsegugyi_ellatas.html

²⁴ Gov. Decree 301/2007 (9/11) 39§ (1) section



- travel allowances,
- reimbursement of the costs of learning and education,
- financial support for leaving the country permanently, and
- if the person is not covered by the social security system, they have the right to the set of healthcare services described above, for a period of six months following the date of the decision about their recognition.²⁵

3.3 Legal assistance

Although – in theory – the state still provides free legal assistance to asylum seekers, in reality the effectiveness and accessibility of this service is remarkably low. There are unconscionable cases of lawyers providing highly priced and for the applicants unnecessary services every year, taking advantage of their vulnerability and lack of knowledge of the local context. Legal information is scarcely provided to applicants by the designated immigration authority, hence, for almost two decades, the Hungarian Helsinki Committee is essentially the only entity that provides high quality and free legal assistance to asylum seekers arriving in Hungary.

4 Basic personal documents

Asylum-seekers, persons granted humanitarian protection and stateless persons are issued documents valid for identification by the Immigration and Asylum Office. More information can be found under the descriptions of the respective legal status in Chapter 2.

The identification documents issued to recognized refugees and persons granted subsidiary protection match those of Hungarian citizens: identity card, address card, tax and social security card.

Our experience shows that the acquisition of a social security number and the respective card causes the most difficulties. Without the social security identification number social and family support benefits are not accessible, admission of children into institutions of public education can face obstacles, as well as the employment of adults, or their registration for seeking employment.

If a refugee or a person granted subsidiary protection does not have social, they are entitled to a certain range of healthcare benefits for six months from the recognition decision²⁶ (see section Services).

5 Education

According to the Public Education Act all minors on the territory of Hungary are subject to mandatory education under the same conditions as Hungarian citizens – between the age of six and sixteen. In addition to the obligation defined by law, social inclusion can also be facilitated if children with refugee and subsidiary protection status have access to mandatory education as soon as possible, and if adults have the opportunity to learn Hungarian. Currently, free Hungarian language courses are provided only by NGOs, if they have the necessary financial resources.

Adults can request the translation of certificates (as well as all other documents) at the Hungarian Office for Translation and Attestation. The matching of qualifications is done by the Hungarian Equivalency and Information Center. Even when a recognized refugee or a person granted subsidiary protection is able to

²⁵For more information, see in Hungarian the information brochure of the National Health Insurance Fund Manager: http://www.oep.hu/friss_kozlomenyek/kozlomeny_menekultek_egeszsegugyi_ellatasa.html

²⁶For more information, see in Hungarian the information brochure of the National Health Insurance Fund Manager: http://www.oep.hu/friss_kozlomenyek/kozlomeny_menekultek_egeszsegugyi_ellatasa.html



provide evidence of his or her qualifications, in many cases the recognition procedure of the relevant documents is not accessible to the person, due to the high cost and complexity of the procedure.

6 Housing, home address

Foreigners can rent real estate on the same terms as Hungarian citizens. Nevertheless, in many cases, homeowners are more likely to reject foreigners in general, or specifically recognized refugees and persons with subsidiary protection status.

It is perhaps even more important for foreigners to have a registered address and, if possible, to be registered at the address of their actual place of residence. Without this they cannot access basic services: public education institutions, health care institutions. Also, competencies of various offices are determined by the home address.

If recognized refugees or persons and families granted subsidiary protection cannot afford the costs of housing, they are entitled to use the services of the homeless care system.

7 Employment

The employment of recognized refugees and persons granted subsidiary protection follows the same procedure as the employment of Hungarian citizens. Employment is subject to registration²⁷, which is to be done in writing, sent by mail by the employer to the competent district office based on the place of employment. Registration is done free of charge and employment can start at the time of the registration.²⁸ Employment of persons granted humanitarian protection is made possible by obtaining a work permit, but a review of the labor market situation is not required, if employment is supported by the refugee authority due to humanitarian reasons.²⁹

For more information see the [website of the National Employment Service](#), the [Methodological guide](#) of the Jövőkerék Foundation and the [information brochure](#) found below in several languages.

8 Hungarian citizenship³⁰

The acquisition of Hungarian citizenship is achieved via the so-called naturalization procedure. The procedure starts at the request of the person wishing to acquire citizenship, and usually lasts for more than a year. Children of foreign citizens born on the territory of Hungary are not automatically granted Hungarian citizenship.

In order to apply, the person has to have secured housing and livelihood, to pass the exam in basic constitutional studies in Hungarian language, and to continuously live in Hungary for eight years. The period in which the person holds only a temporary residence address, does not qualify.

A person granted refugee status may apply for naturalization under preferential conditions – continuously registered place of permanent residence in Hungary for three years.

²⁷ Gov. Decree 445/2013 (28/11)16§ (1) section b) subsection

²⁸ For more information on the registration, see in Hungarian:

https://nfsz.munka.hu/Munkaadoknak/Lapok/munkaadoknak_szolgaltatasok/content/ma_szolg_tajek_kulfoldiek_mo_munkavallalas.aspx

²⁹ Gov. Decree 445/2013. (28/11) 11§

³⁰ LV Law on Hungarian citizenship from 1993



Further, a person who was born in Hungary or obtained a Hungarian address as a minor may apply for citizenship upon continuously living in Hungary for five years.

As of January 1, 2017 the Prime Minister's Office and the Budapest Metropolitan Government Office took over the duties from the Immigration and Asylum Office (former Immigration and Citizenship Office) regarding citizenship, vital record keeping and change of names.

9 Family reunification

Foreigners living in Hungary have the possibility of family reunification if legal conditions are met. Due to the complexity of the procedure, we recommend contacting the staff of the Hungarian Helsinki Committee or instructing the person concerned to do so. You can find more information on the procedure in the information brochure found below in several languages.

10 MELLÉKLETEK

10.1 Vonatkozó jogszabályok:

a menedéjgról szóló 2007. évi LXXX. törvény,
a menedéjgról szóló 2007. évi LXXX. törvény végrehajtásáról szóló 301/2007. (XI. 9.) kormányrendelet,
a menekültügy szervezeti rendszeréről szóló 52/2007. (XII. 11.) IRM rendelet,
idegenrendészeti eljárásban elrendelt őrizet végrehajtásának szabályairól szóló 27/2007. (V. 31.) IRM rendelet,
a menekültügyi őrizet végrehajtásának szabályairól és a menekültügyi óvadékról szóló 29/2013 (VI. 28.) BM rendelet,
a menekültügy szervezeti rendszeréről szóló 52/2007. (XII. 11.) IRM rendelet,
a Bevándorlási és Állampolgársági Hivatal szervezeti és működési rendjének meghatározásáról szóló 9/2010. (IX. 29.) BM–KIM együttes utasítás,
a szabad mozgás és tartózkodás jogával rendelkező személyek beutazásáról és tartózkodásáról szóló 2007. évi I. törvény,
a szabad mozgás és tartózkodás jogával rendelkező személyek beutazásáról és tartózkodásáról szóló 2007. évi I. törvény végrehajtásáról szóló 113/2007. (V. 24.) Korm. rendelet,
a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról szóló 2007. évi II. törvény,
a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról szóló 2007. évi II. törvény végrehajtásáról szóló 114/2007. (V. 24.) Korm. rendelet,
a kitoloncolás végrehajtásának szabályairól szóló 26/2007. (V. 31.) IRM rendelet,
a foglalkoztatás elősegítéséről és a munkanélküliek ellátásáról szóló 1991. évi IV. törvény,
a felnőttképzésről szóló 2013. évi LXXVII. törvény,
a jogi segítségnyújtásról szóló 2003. évi LXXX. törvény,
a harmadik országbeli állampolgárok magyarországi foglalkoztatásának nem összevont kérelmezési eljárás alapján történő engedélyezéséről, az engedélyezési kötelezettség alóli mentességről, a fővárosi és megyei kormányhivatal munkaügyi központjának az összevont kérelmezési eljárásban való szakhatósági közreműködéséről, valamint a Magyarországon engedélymentesen foglalkoztatható harmadik országbeli állampolgárok magyarországi foglalkoztatásának bejelentéséről, és a munkabér megtérítéséről szóló 445/2013. (XI. 28.) Korm. rendelet,



a felnőttképzési tevékenység folytatásához szükséges engedélyezési eljárásra és követelményrendszerre, a felnőttképzést folytató intézmények nyilvántartásának vezetésére, valamint a felnőttképzést folytató intézmények ellenőrzésére vonatkozó részletes szabályokról szóló 393/2013. (XI. 12.) Korm. rendelet,

a Magyar Köztársaság által szabad mozgás és tartózkodás jogával rendelkező személyek tekintetében alkalmazott, a munkaerő szabad áramlásával összefüggő átmeneti szabályokról szóló 355/2007. (XII. 23.) Korm. rendelet,

a szociális igazgatásról és szociális ellátásokról szóló 1993. évi III. törvény,

a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről szóló 15/1998.(IV.30.) NM rendelet,

a közoktatásról szóló 1993. évi LXXIX. törvény,

a nemzeti köznevelésről szóló 2011. évi CXC. törvény,

a nemzeti köznevelésről szóló 2011. évi CXC. törvény,

a nemzeti felsőoktatásról szóló 2011. évi CCIV. törvény,

az egyesülési jogról, a közhasznú jogállásról, valamint a civil szervezetek működéséről és támogatásáról szóló 2011. évi CLXXV. törvény,

a magyar állampolgárságról szóló 1993. évi LV. törvény,

a gyermekek védelméről és a gyámügyi igazgatásról szóló 1997. évi XXXI. törvény,

a jogi segítségnyújtásról szóló 2003. évi LXXX. törvény,

a polgárok személyi adatainak és lakcímének nyilvántartásáról szóló 1992. évi LXVI. törvény.

10.2 Szervezetek

Artemisszió Alapítvány– www.artemisszio.hu Interkulturális párbeszéd elősegítése, interkulturális képzések, bevándorlók beilleszkedését szolgáló programok.

Baptista Szeretetszolgálat – www.baptistasegely.hu/ Szociális és lakhatási segítség menekülteknek és oltalmazottaknak

Bevándorlási és Menekültügyi Hivatal – www.bmbah.hu, www.bevandorlas.hu Bevándorlással, menekültüggyel kapcsolatos információk, ügyintézés, ügyfélfogadás, eljárási útmutatók, statisztikák.

Cordelia Alapítvány a Szervezett Erőszak Áldozataiért – www.cordelia.hu Kínzásáldozatok rehabilitációja, pszichés segítségnyújtás menedékkérőknek, menekülteknek.

ENSZ menekültügyi Főbiztosság (UNHCR) – www.unhcr.hu Menekültügyi szakmai anyagok.

Kalunba Szociális Szolgáltató Nonprofit Kft. – Szociális és lakhatási segítség, magyar nyelvi képzés

Magyar Családsegítő és Gyermekjóléti Szolgálatok Országos Egyesülete – www.macsgyoe.hu Szakmai támogatás és információk szociális szakembereknek.

Magyar Ekvivalencia és Információs Központ - Képesítések elismertetése

Magyar Helsinki Bizottság – www.helsinki.hu Menedékkérők, menekültek és hontalanok ingyenes jogvédelme, emberi jogi vetületű migrációs kérdések, szakmai anyagok, útmutatók, hírek.

Menedék Migránsokat Segítő Egyesület – www.menedek.hu Szociális segítségnyújtás migránsok, menedékkérők és menekültek számára, bevándorlók és menekültek integrációja, szakmai anyagok, hírek, képzések.

Migráns Szolidaritás Csoport (Migszol) – www.migszol.com Menekültek és migránsok önszerveződő érdekvédelmi csoportja.

Migráns Segítség Magyarország Egyesület (Mighelp)– www.mighelp.hu Képzések Magyarországon élő migránsoknak



Nemzeti Egészségbiztosítási Alapkezelő - Társadalombiztosítási ellátásokkal kapcsolatos információk

Nemzeti Foglalkoztatási Szolgálat – www.munka.hu Foglalkoztatással kapcsolatos információk.

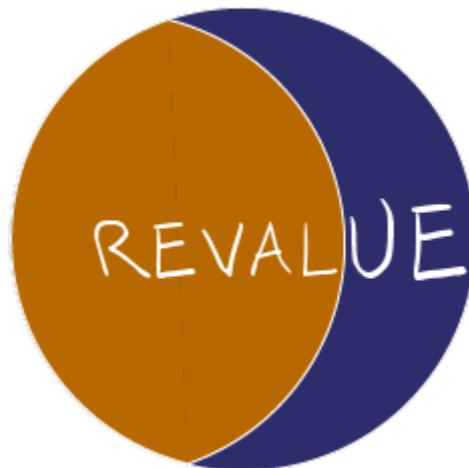
Nemzetközi Migrációs Szervezet (IOM) – www.iom.hu Migrációval, önkéntes hazatéréssel és emberkereskedelemmel kapcsolatos szakmai anyagok és szolgáltatások

Országos Fordító és Fordításhitelesítő Irodában - Okiratok hiteles fordítása



Module 1

IMMIGRATION LEGISLATION AND ADMINISTRATIVE PROCEDURE (GERMANY)





Content

Foreword	187
1. Entering Germany	187
1.1 Apply for asylum	188
1.2 Asylum procedure	188
1.3 Protection	189
2. Housing during the asylum procedure	191
3. Language Courses	191
4. Work and Career	192
4.1 Work permission	193
4.2 Recognition of foreign qualifications	194
4.3 Careers advice, job and training placement services	195
4.4 Setting up a business and self-employment	195
5. Education System.....	195
5.1 Kita Daycare Centre.....	196
5.2 The school system	196
5.3 Vocational training	196
5.4 Studying in Germany	197
5.5 Adult education	198



Foreword

The following compilation consists of references to legal and bureaucratic procedures that have to be overcome in order to live and work in Germany. This compilation is fed by the following signposts and guidelines of German public authorities.

<https://www.berlin.de/willkommenszentrum/en/>

<https://www.berlin.de/lb/intmig/veroeffentlichungen/gefluechtete/>

<https://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/Broschueren/willkommen-in-deutschland.html>

http://www.bamf.de/EN/Startseite/startseite-node.html;jsessionid=32D9A3F69C9A04E1598A66D52B9EBC47.2_cid286

<https://www.make-it-in-germany.com/en/>

<https://www.anerkennung-in-deutschland.de/html/en/index.php>

This compilation does not claim to be complete. Only first hints are to be given, which hurdles must be overcome. In addition it is to be noted that procedures and legal bases can change. Therefore, in addition to this information, it must always be checked whether this information is still up to date.

This compilation is addressed to the participants of the courses designed and tested in the REVALUE project. However, these courses should also be used outside the project and also in Germany by providers of continuing education and be able to be used in educational work. Therefore, this compilation also offers country-specific assistance so that the content can be used directly and does not have to be adapted first.

1. Entering Germany

As a citizen of an EU member state, people do not require a visa to enter Germany. People who do not come from the EU require an entry visa to enter Germany. Citizens of certain countries can visit Germany for up to 90 days without a visa. Information about what applies can be purchased by enquiring at one of Germany's diplomatic missions abroad or visiting the Foreign Office website <https://www.auswaertiges-amt.de/en>.

Citizens of the EU, who would like to move to Berlin, do not require a residency permit. They only need to possess a valid personal identification card.

Persons who would like to work in Germany generally need to apply for a visa, unless they are a national of an EU Member State, Iceland, Liechtenstein, Norway or Switzerland. Nationals of Australia, Israel, Japan, Canada, South Korea, New Zealand and the United States can also obtain the residence permit after entering country from the relevant Office in Germany. The intended economic activity may only be commenced after the residence permit has been issued.



In order to submit an asylum application, a residence in Germany is required. An asylum application cannot be submitted to a foreign representative of the Federal Republic of Germany. This application must be made in person.

A guide for the first weeks in Germany is provided by the App "Arrival". The app covers the following topics: Living in Germany, asylum, education, work and learning German.

<http://ankommenapp.de/APP/EN/Startseite/startseite-node.html>

1.1 Apply for asylum

The first step in being able to apply for asylum in Germany is registration. People arriving in Berlin, for example, must first go to the contact point for new arrivals. There, with the help of the nationwide distribution system "EASY", it is determined which federal state is responsible for the admission. If Berlin is responsible, the next step is to register as an asylum seeker with the State Office for Refugee Affairs. A proof of arrival will be issued there, which serves as a temporary identity document and is a prerequisite for the right to benefits. The proof of arrival records name, birthday, nationality and photo. In addition, fingerprints must be provided before the document is issued. There is also a medical examination.

Following registration, a place in a reception facility will be made available. The duration of the accommodation in the host institution is generally at least up to six weeks, at most up to six months. If the asylum application is rejected, persons must remain in the initial reception facility as citizens of a so-called safe country of origin until they are returned to their country of origin.

After registration as an asylum seeker, the asylum application must be submitted to the Federal Office for Migration and Refugees.

An interpreter will be available during the personal application. The data recorded is compared with the Central Register of Foreigners and the Federal Criminal Police Office to ensure that there are no more than one application, that it is the first application or a follow-up application. In addition, a Europe-wide system can be used to determine whether another state is responsible for the asylum procedure.

Following the personal application, the residence permit will be issued.

1.2 Asylum procedure

As part of the asylum procedure, the Federal Office for Migration and Refugees examines whether the conditions for entitlement to asylum, refugee protection, subsidiary protection and national prohibitions on deportation are met in each case.

Once an asylum application has been submitted to a branch office of the Federal Office for Migration and Refugees, the period of waiting for this decision begins.



As long as the persons are obliged to live in an initial reception facility, they are subject to the so-called residence obligation. During the period of the residence obligation, it is not yet allowed to work.

Before the actual asylum procedure takes place, the Dublin procedure first determines whether another European country is responsible for processing the asylum application. This is to ensure that each asylum application lodged in the so-called Dublin area (in the EU, Norway, Iceland, Switzerland or Liechtenstein) is only examined by one state. If a person has already been registered in one of these countries or has already filed an asylum application there, Germany cannot grant any additional protection under asylum law.

If the asylum application is to be processed in another state, Germany will submit a request to that state to take over the asylum application. If the state agrees, the Federal Office will issue a corresponding decision. An action against this and an urgent application can be filed with the competent administrative court within one week. Until a judicial decision on the urgent application has been made, it is not possible to transfer the person to the original requesting country.

If the transfer does not take place within six months, responsibility shall remain with the State in which the asylum application was last lodged. This period may be extended in certain circumstances.

The most important element of the asylum procedure is the personal interview with the applicant. The Federal Office for Migration and Refugees provides an interpreter for the hearing. During the hearing it is possible to explain individual reasons for flight. www.Asyl.net provides some information on the hearing in the asylum procedure.

After the hearing, the Federal Office for Migration and Refugees begins the decision-making process on the asylum application.

The film entitled "Information on the Asylum Procedure. Your rights and obligations" is a visual addition to the written information which, by law, must be provided to anyone applying for asylum.

<http://www.bamf.de/SharedDocs/Videos/EN/BAMF/informationen-asylverfahren.html?nn=9252308>

1.3 Protection

The protection that is provided to individual refugees depends on the responsible agency during the asylum process. In Germany, there are four different forms of protection:

- Right to asylum
- Refugee protection
- Subsidiary protection
- National deportation prohibition

Article 16a of the constitution specifies a basic right to asylum, which forms the basis of the right to asylum. All persons who are politically persecuted by state agents have the right to protection in Germany. Recognition of the right to asylum is however excluded if the persecuted person has travelled into Germany via a safe third-party state (all other EU countries, Norway, Iceland, Liechtenstein, and Switzerland).



People who are recognised as refugees and receive refugee protection as a result of this are specified in the Geneva Convention on Refugees. A refugee is a person whose life or health is threatened due to their race, nationality, political convictions, religion, or association with a specific social group. Other than with the right to asylum, the threat does not need to come from a state agent, but may also come from non-state agents such as terror groups, clans, cartels, or family members. The Ministry regularly considers whether protection would also have been available in the home country, for example by moving to a safer area.

People with the right to asylum and refugees receive a residency permit for three years with unlimited access to the labour market. They have the right to reunify their family. If the application is submitted within three months of confirmation by the Ministry, it is not necessary to prove that the cost of living of the family members can be covered. After three or five years, the right to settle will be issued if additional requirements such as coverage of living expenses and certain German skills have been met.

Subsidiary protection will be provided if the applicant is threatened by the death penalty, torture, or inhumane or undignified treatment or punishment in their country of origin. Furthermore, protection also applies to civilians whose life or health is seriously threatened individually by random violence within the context of armed conflicts.

If the Ministry grants subsidiary protection, then the foreign nationals' office will issue a residency permit for one year. This will be extended by two years after expiry of the first year if there is still a reason for protection. People who receive subsidiary protection also have unlimited access to the labour market, just like recognised refugees. After five years, the residency permit may be transformed into an unlimited settlement permit under certain conditions.

To protect applicants who do not meet the conditions required to grant asylum, refugee protection, or subsidiary protection, a national deportation prohibition may be awarded as per Section 60 paragraphs 5 and 7 of the AufenthaltG, provided that deportation would result in human rights violations or significant and specific danger to life, health, or freedom. This may be the case if someone suffers from a serious illness that cannot be treated in their country of origin, whereby severe health damage is feared if the person is forced to return.

If a national deportation prohibition applies, then a one-year residency permit that may also be extended repeatedly will be issued, which may also be transformed into a settlement permit after five years under certain conditions. People who have received a deportation prohibition have limited access to the labour market and a limited right to have their family join them.

Asylum is a right that is protected by the Constitution in Germany. People who are displaced from other parts of the world, fleeing from violence, war and terror, are to find protection in our country. This page provides further information on the stages of the asylum procedure, the right to asylum and the various forms of protection, as well as on the European context:

<http://www.bamf.de/EN/Fluechtlingschutz/fluechtlingschutz-node.html>.



2. Housing during the asylum procedure

For the duration of six months after registration, refugees may be obligated to live in an initial acceptance centre. If people come from a so-called “safe origin country” (currently the following countries: Ghana, Senegal, Bosnia-Herzegovina, Serbia, Macedonia, Montenegro, Albania, and Kosovo), they will have to remain in the initial acceptance centre during the entire asylum process. Otherwise, they can move to subsequent accommodation, normally after six months have passed, however, there is currently a lack of accommodation, which means that this may take longer.

Subsequent accommodation may be apartments as well as shared accommodation. In the subsequent accommodation, living space is provided as well as refugees receive a regular monthly amount of money from the social assistance office (Asylbewerberleistungen – asylum applicant payments) to purchase necessary items.

3. Language Courses

There are many ways to learn German: schools, universities, cultural centres, clubs and associations, adult education colleges and private language schools all offer German language courses.

The integration course is a way for the German state to help learn German in order to make oneself understood in everyday life. Each integration course consists of a language course and an orientation course.

The integration course lasts a total of 600 lessons, in the special courses up to 900 lessons, in the intensive course 400 lessons.

The language course deals with important topics from everyday life, for example:

- Work and profession
- Education and training
- Care and education of children
- Purchasing/Trade/Consumption
- Leisure and social contacts
- Health and hygiene/human body
- Media and media use Living.

Participants will also learn to write letters and e-mails in German, fill in forms, make telephone calls or apply for a job. The topics vary depending on the type of course. The language course concludes with the examination Deutsch-Test für Zuwanderer (DTZ).

Under certain circumstances people actually have to attend an integration course. The conditions to attend an integration course can be found here: <http://www.bamf.de/EN/Willkommen/DeutschLernen/Integrationskurse/integrationskurse-node.html>.

Online portals to support the learning of the German language: https://www.goethe.de/en/spr/flu.html?wt_sc=willkommen
<https://www.iwdl.de/cms/en/lernen/start.html>



4. Work and Career

The terms of the working relationship (e.g. probation period, time limitation, termination options) are governed by German labour law. Employment contracts can be formed orally and in writing. People who come from a non-EU country need permission from the immigration authorities in order to work.

Whether it is permitted to work depends on the conditions stated in the residence permit. (e.g. residence permit, settlement permit, permission to remain, permission to remain until deported).

If “Beschäftigungsnichterlaubt” (employment not permitted) is stated there, then it is generally not permitted to work. However, if “Erwerbstätigkeitgestattet” (gainful activity permitted) is stated there, a self-employment or employment can be carried out. If the papers state “Beschäftigungsgestattet”, then it is permitted to work as an employee. If “BeschäftigungsnurmitErlaubnis der Ausländerbehörde” (employment only by permission of the immigration authority) is stated there, then it is recommended to go to the immigration authority with a specific employment offer and apply for the permit there. The immigration authority will then obtain approval from the German federal employment agency for the applicant under certain circumstances. This process can take several weeks and is dependent upon compliance with the statutory regulations concerning wage, holiday entitlement etc. and upon whether Germans and EU citizens are available for the desired job.

In the asylum procedure, or if the stay is made from the outset only with permission to remain until deportation, it is not permitted to work during the first three months from the issue of the entry confirmation or the residence permit until deported. A ban on employment shall also apply for the period during which persons are obliged to live in the reception centre(maximum of six months after registration).

If these deadlines have expired, employment can be taken up with the permission of the immigration authorities. Here too, the immigration authority obtains approval from the German federal employment agency for the desired job. Asylum seekers from so-called “safe countries of origin” are subject to a permanent work ban if they made an asylum application after 31.08.2015. In this case they are not permitted to work throughout the entire asylum process or even during a subsequent period of permission to remain until deported. The following are considered “safe” at present: Ghana, Senegal, Serbia, Bosnia-Herzegovina, Montenegro, Macedonia, Albania and Kosovo. The conditions are sometimes amended belatedly even though the waiting periods have already expired.

If someone from abroad wants to come to Germany to work, he must apply for a visa for work purposes at the German embassy in his country. Please note here that a visa is not granted for all employments. It is generally easier for the highly qualified, i.e. for people with a higher education degree or for managers.

A visa can also be obtained for work in occupations for which there are insufficient interested people in Germany (“shortage occupations”). A special provision applies for citizens of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia until 2020: they may apply for a work visa for any employment.



However, the requirements for this are for the person to have drawn no benefits under the asylum seekers' benefits act in Germany in the two previous years and for no workers from Germany or the EU to be available for the position offered. In case of doubt, a consultation should be taken up. Information can be obtained on the website of the German federal office for migration and refugees. Detailed information is also offered in the guide of the "Make it in Germany initiative.

https://www.make-it-in-germany.com/fileadmin/content/make-it-in-germany/PDF/MiiG_Guide_to_Working_in_Germany.pdf

4.1 Work permission

In order to obtain the work permit - if the residence permit generally does not permit work - a concrete job offer is required. There is a form at the immigration office on which the potential new employer must provide precise information about the job offered. With this form, the employment agencies must then check if applicable whether there are unemployed Germans or EU citizens who could be given the vacant position. For asylum seekers and people with permission to remain until deported, it is no longer necessary to perform this check in many regions of Germany. For them too, however, it must be checked whether the working conditions comply with the statutory regulations – wage, holiday entitlement etc. This permit process can take several weeks.

For some forms of employment, the immigration authority can issue a work permit to asylum seekers and people with permission to remain until deported, with no need whatsoever for a check to be performed by the German federal employment agency. This applies particularly for vocational training, for example also for the employment of highly qualified people or for internships if they have been agreed under minimum wage law or are funded from EU resources.

After residence of four years, any employment may be undertaken essentially without the need for the employment agency still to check. However, it must be noted that people with permission to remain until deported whom the immigration authority accuses of delaying their own deportation receive no work permit. The same applies for citizens of Albania, Bosnia-Herzegovina, Kosovo, Macedonia, Montenegro and Serbia if they applied for asylum in Germany after 31.08.2015.

A work permit is issued by the regional immigration authority once it has taken a positive decision on the "application for permission to take up employment". In addition to the application, it is necessary also submit the "job specification" form completed by the employer and an employment contract or the confirmation that that the job was awarded to the applicant.

The German federal employment agency helps online and on location with looking for work. For this it is a requirement to be registered there as a jobseeker. As asylum seekers, it is also possible to obtain help from the German federal employment agency: <https://www3.arbeitsagentur.de/web/content/EN/index.htm>.



4.2 Recognition of foreign qualifications

The Assessment and Recognition of Foreign Professional Qualifications Act, or Recognition Act (BQFG) sets out the recognition process for professions that fall under the jurisdiction of the federal government. It ensures that professional qualifications from another country are referred to the responsible authority here to find the German equivalent for the relevant profession. This means that there is a legal right to foreign professional qualifications being examined and, where appropriate, recognised as equivalent to a German vocational qualification. This does not depend on nationality, just on the professional qualification.

It is possible to start work in many trades in Germany – the so-called “non- regulated professions” – without a formal recognition of professional qualification. Nonetheless, a review of qualifications is advisable because it allows employers and companies to better judge skills and know-how. However, for the so-called “regulated professions” (reglementierte Berufe) a formal recognition of foreign training and qualifications is required. These professions are mainly those found in the health care sector (e.g. doctor, nurse) and social or education professions. The following website will tell whether a formal recognition to work in a qualified profession is needed:

<https://www.anerkennung-in-deutschland.de/html/en/index.php>.

The Recognition in Germany website of the German federal institute for vocational training provides a good overview and plenty of information and references on behalf of the German federal ministry of education and research.

Further information:

Internet:

- <http://www.bamf.de/EN/Willkommen/ArbeitBeruf/Anerkennung/Anerkennungsverfahren/anerke nnungsverfahren-node.html>
- www.anabin.de
- <https://www.netzwerk-iq.de/network-iq-start-page/credential-recognition.html>
- <https://www.bmbf.de/en/recognition-of-foreign-professional-qualifications-1413.html>
- <https://www.bmbf.de/en/welcome-to-germany-1414.html>

For non-regulated higher education qualifications:

- <https://www.kmk.org/de/zab/central-office-for-foreign-education/general-information-about-recognition.html>

Federal Employment Agency:

- <https://www.arbeitsagentur.de/en/recognition-of-qualifications>

Database of interpreters & translators:

- www.justiz-dolmetscher.de

E-mail: Federal Office for Migration and Refugees: contact form at

- www.bamf.de/kontakt-erkennung

Video on recognition procedure:

- <https://www.bmbf.de/de/media-video-4996.html>



4.3 Careers advice, job and training placement services

It is not always easy to find a suitable job or training place. So this section is designed to provide some useful information about careers advice and looking for work or training. In order to find a suitable profession in Germany, it is important to act proactively. The Vocational Information Centres (BIZ) in the Employment Agencies offer a lot of information about the different professions available in Germany, the tasks involved and the necessary qualifications. Additionally, employees at the Employment Agency offer advice and help to find a suitable job, training placement or apprenticeship. These agencies are located throughout Germany. The website of the Federal Employment Agency can help to find out which one is responsible in each region: www.arbeitsagentur.de, menu item "Kontakt/Anschriften der Agenturen vor Ort". In some regions educational counselling is also offered. They provide advice on further and vocational education in Germany. For example, a consulting offer is made by the "bridge": <http://www.bridge-bleiberecht.de/advice-for-refugees/>.

"The Career Orientation for Refugees" Programme (BOF) of the Federal Ministry of Education and Research (BMBF) offers young refugees detailed insights into training occupations in the craft trades sector. Throughout the whole of the scheme, they learn specialist terminology and knowledge for the training occupation they aspire to enter and also receive socio-pedagogical support. The "Career Orientation for Refugees" Programme takes place in workshops and at companies. The target group comprises refugees who are no longer subject to compulsory education. <https://www.berufsorientierungsprogramm.de/angebote-fuer-fluechtlinge/de/english-1993.html>

4.4 Setting up a business and self-employment

Self-employed business people play an important role in German society. Germany needs people with creative ideas who can develop new products, processes and services. However, one problem for anyone setting up a business is the financial risk. So good preparation and adequate financial protection are required.

Whether or not a foreign national is allowed to set up in self-employment is governed by the Residence Act and the Freedom of Movement Act (EU). In particular, if someone comes from a country outside the EU, he or she should be well informed about the laws in force, e.g. on the business start-up portal: <https://www.existenzgruender.de/EN/Home/inhalt.html?jsessionid=2C24170CC6016E67F25A972CB4910F5B>

Also, the stakeholders in the Network IQ work to improve the labour market integration of migrants: <https://www.netzwerk-ig.de/network-ig-start-page/migrant-entrepreneurship.html>

5. Education System

An Overview of the basic Structure of the Educational System in the Federal Republic can be found here: <https://www.kmk.org/dokumentation-statistik/informationen-zum-deutschen-bildungssystem.html>



5.1 Kita Daycare Centre

In Germany, many children are looked after in a daycare centre (also called: KiTa). In the KiTa, children learn and play together. The children make new friends and learn the German language. This also helps them prepare for school. Most children in Germany come to kindergarten at the age of 3. However, more and more kindergartens are already offering places for younger children.

If people have children and are in training, are working or studying, their children are well looked after by qualified professionals from infancy until they start school.

5.2 The school system

Compulsory schooling generally begins in the autumn of the year in which a child turns six. Generally, compulsory schooling then lasts until the end of the school year in which a young person turns 18. The rules on compulsory schooling differ according to the Federal Land concerned. It is also possible for a child to start school during a school year.

At the schools, the young people first receive intensive language support in preparatory classes. This prepares them for moving to a regular class. However, the procedure is regulated differently in each federal state.

5.3 Vocational training

Good training is the most important factor for getting a good start. By trying to find a job in Germany it is important to have completed a vocational training course or a course of study.

A vocational training course generally lasts between two and three years and is usually organised within Germany's "dual system". This means that the course includes practical on-the-job training as well as theoretical elements provided in a school. Some training courses, e.g. in nursing, are only offered in schools. To access a vocational training course, applicants generally need to have gained a lower secondary school-leaving certificate as a minimum requirement.

There are approximately 400 vocational training occupations in Germany. The careers information services operated by the Federal Employment Agency help young people choose the right career.

The Federal Ministry of Education and Research's (BMBF) career orientation programmes and projects for refugees and newly arrived immigrants are managed by the Vocational Orientation Programme Office. These are three currently funded programmes:

- **"Career Orientation for Refugees" Programme (BOF):**

<https://www.berufsorientierungsprogramm.de/angebote-fuer-fluechtlinge/de/english-1993.html#BOF>

- **Projects within the scope of the Educational Chains Initiative**

<https://www.berufsorientierungsprogramm.de/angebote-fuer-fluechtlinge/de/english-1993.html#EducationalChainsInitiative>

- **Refugees in the Vocational Orientation Programme (BOP)**



<https://www.berufsorientierungsprogramm.de/angebote-fuer-fluechtlinge/de/english-1993.html#BOP>

- "JOBSTARTER plus" programme centres, which focuses on strengthening in-company vocational training and unlocking new skilled labour potential

<https://www.jobstarter.de/englisch-451.php>

Information on the subject of vocational orientation:

<http://www.planet-beruf.de/en/schuelerinnen/einsteigen/>

Overview and introduction video to the German Vocational Training System: <https://www.bmbf.de/en/the-german-vocational-training-system-2129.html>

Vocational information centres (BIZ): <https://www3.arbeitsagentur.de/web/content/EN/index.htm>

5.4 Studying in Germany

There are different types of higher education institution in Germany, offering different qualifications and career paths.

- universities
- universities of applied science (Fachhochschulen)/colleges
- technical colleges
- music and art colleges
- teacher training colleges
- business management schools

Depending on the type of higher education institution, the entrance requirement is the Hochschulreife (general school-leaving qualification permitting tertiary study, that is the Abitur) or the technical school-leaving certificate (Fachhochschulreife). In the case of foreign qualifications, the international academic offices (Akademische Auslandsämter) of the institutions or the "uni-assist" service decide whether the conditions have been fulfilled. The institutions themselves decide on the extent to which course credits that have been obtained in another country can be counted towards a course of studies in Germany.

Recognised refugees are treated in the same way as international study applicants. A study course can be started even with a permission to remain or permission to remain until deported. Many universities work in cooperation with uni-assist e.V., which has set up a special website with information for refugees:

<https://www.uni-assist.de/en/refugees/>.

Which school leaving certificates from other countries are recognised can be checked on the database anabin of the Central Office for Foreign Education <https://anabin.kmk.org/anabin.html>. Depending on the country of origin, certain periods of study or passed university entrance examinations can also lead to admission to the university.

When looking for a study place, the higher education navigator from the higher education compass provides information: <https://www.hochschulkompass.de/en/study-in-germany.html>.

Information for refugees who like to study in Germany: <https://www.study-in.de/refugees/>

Refugees at universities: How the DAAD is helping (German Academic Exchange Service - DAAD): <https://www.daad.de/der-daad/fluechtlinge/infos/en/43153-refugees-at-universities-how-the-daad-is-helping/>

The German National Association for Student Affairs fulfil public tasks in the provision of economic, social, health and cultural support to students enrolled at all German higher education institutions: <https://www.studentenwerke.de/en/>.



5.5 Adult education

There are many options in Germany that allow to continue to train after leaving school, vocational training or university. Adult education courses can also lead to a general or school leaving certificate. There are day and evening courses, as well as the possibility of attending lessons from home (e.g. as part of a distance learning course with a university or college).

The Adult Education Centres (Volkshochschulen) offer a broad range of courses all over Germany, from courses in languages and computer skills to programmes on health-related issues.

Continuing vocational education is very important in Germany. It is necessary in many professions to take further courses and to acquire new qualifications after undergoing training.

Regarding training no specific prior knowledge is required. Here, an occupation is learnt from scratch. Training in Germany takes place either in a company or in a special college or in a combination of company and college. It is possible to do an internship before the training in order to familiarise with the desired occupation and the company.

The Federal Employment Agency is an important port of call when it comes to professional further education, continuing vocational training or training.

Before starting in-company training, it is important to check whether employment (self-employment or employment) or employment (employment only) is permissible. This is governed by the conditions indicated in the residence document (e.g. residence permit, settlement permit, permission to remain, permission to remain until deported).

If "Beschäftigungnichterlaubt" (employment not permitted) is stated there, then training is generally not permitted. However, if "Erwerbstätigkeitgestattet" (gainful activity permitted) or "Beschäftigunggestattet" (employment permitted) is stated there, then it may also be possible to do training. If "BeschäftigungnurmitErlaubnis der Ausländerbehörde" (employment only by permission of the immigration authority) is stated there, then it's important to consult the immigration authority with a specific training offer and apply for the permit there.

In the asylum process, it is not permitted to work in the first three months after issue of the permission to remain or permission to remain until deported. A work ban also applies in the period during which people are obliged to live in the reception centre (maximum of six months after registration). After these deadlines have expired, a permit for vocational training can be applied for. Asylum seekers from so-called "safe countries of origin" are subject to a permanent work ban if they made an asylum application after 31.08.2015. They are not permitted to work and they are not permitted to do training throughout the entire asylum process or even during a subsequent period of permission to remain until deported.

If permission has been granted to stay until deportation, distant is not allowed to work in the first three months of stay in Germany. However, an exception applies for company-based training. However, there is one exception for in-company training. If someone comes from one of the above-mentioned "safe countries of origin" and has applied for asylum in Germany after 31.08.2015, this person may not work or complete any training.

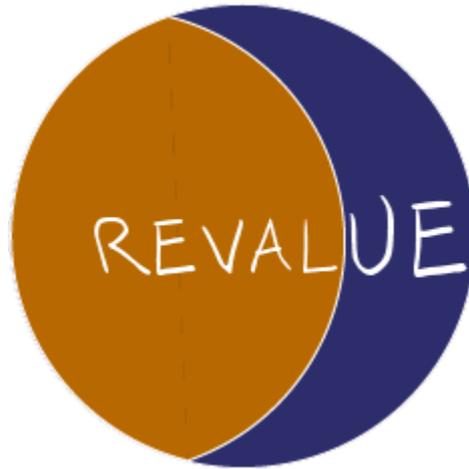


If in doubt, a look at the residence papers will tell in all these cases whether it is permitted to work and even to do company-based training. However, conditions are sometimes amended belatedly even though, for example, the waiting periods have already expired.



Module 1

IMMIGRATION LEGISLATION AND ADMINISTRATIVE PROCEDURE. (ENGLAND)





1. Legal environment.

At a National level the information is perfectly collated in the government page and the practitioner has to get familiar with the following resources and documentation:

<https://www.gov.uk/browse/visas-immigration>

<https://www.gov.uk/browse/visas-immigration/what-you-need-to-do>

In terms of legislative application the Home office is the Agency in charge of execute the legislation related with migrants in the UK and the ultimate source of latest information, laws and changes in procedures. Home Office is a ministerial department, supported by **31 agencies and public bodies**. <https://www.gov.uk/government/organisations/home-office>

At a local level in London, there is a number of organizations which provide legal services, support and resources for migrants.

<http://www.praxis.org.uk/what-we-do.html>

<https://haringeymsc.org/>

<http://www.ramfel.org.uk/about.html>

<http://londonwelcomeproject.org/what-we-do/>

2. Legislation and administrative process in UK.

About the rights of Immigrants in case of detention we recommend to start at:

<https://www.biduk.org/pages/6-information-for-detainees>

This publication also offer a newsletter which can be very helpful to the service provider for:

- **Basic knowledge of UK law and legislation on migration with documentation provided by the Home office.**
- **Basic knowledge of legislation on social work and migration**
- **Basic knowledge of the migration process including asylum and refugee status.**

The full extent of the UK legislation related to Asylum is hosted at:

<https://www.gov.uk/topic/immigration-operational-guidance/asylum-policy>

Nevertheless this information, because of language barriers cultural differences and mostly economic barriers is not accessible.

<https://www.gov.uk/government/organisations/uk-visas-and-immigration>



People have too little information about the asylum appeals process and very little idea of what to expect. Understanding the process makes people more confident and less anxious so they can give clearer information. This means they have a higher chance of getting the protection they need.

<https://www.asylumaid.org.uk/>

There is a number of organizations in the UK who can help the service provider to perform and update their knowledge about the Migration process including asylum and refugee status.

<https://www.asylumaid.org.uk/services/>

There are a numbers of steps that both can and have to be followed by the migrants in the UK,

If you want to claim asylum it is very important that you ask for it as soon as possible after you arrive in the UK, at the UK Border Agency offices in Croydon (near London). Call the UK Border Agency when you arrive to make an appointment: 020 8196 4524. You can go there without calling first but they may not be able to see you if they are busy.

There is an extensive information about it in :

<http://w2eu.info/uk.en/articles/uk-asylum.en.html>

and the following article :

<http://noborders.org.uk/news/are-you-here-claim-asylum>

In the case of an eventual negative decision there's also a very well established path to apply and the government promote support and information.

<https://www.gov.uk/appeal-first-tier-asylum-support-tribunal>

It is also worthy to mention some knowledge about the key aspect in the stay of an immigrant without documentation, or permit to stay in UK.

<https://www.gov.uk/immigration-reporting-centres>

3. Basic knowledge on public and private labor-market support, services

In the pathway set up in UK for migrants the government offers a step by step guideline information in their website. In a holistic approach the first figure is the immigration adviser.

<https://www.gov.uk/find-an-immigration-adviser>

Another step in many cases will be to apply for a Home office travel document.

<https://www.gov.uk/apply-home-office-travel-document>



And then follow the steps given at:

<https://www.gov.uk/browse/visas-immigration/work-visas>

Again the economic barrier will impact many migrants, in this stream of services the government provide by law a more or less efficient policy of equality and diversity and the access to the labor market is well implemented in terms of Language support, accessibility, gender equality etc. Even if it's a legislation depends very much of the area or even constituency of application.

A key element of the initial integration offered by the government is:

<https://www.gov.uk/refugee-integration-loan>

You can apply for a refugee integration loan to pay for:

- a rent deposit or rent
- household items
- education and training for work

You must be over 18 and either:

- a refugee or you've been given humanitarian protection
- a dependant of a refugee or someone who's been given humanitarian protection
- allowed to enter or stay under either of the above after 11 June 2007

The smallest amount you can borrow is £100.

Integration loans are interest-free - you only pay back what you borrow, but you must make regular payments.

You will find the printing version of this guide at:

<https://www.gov.uk/refugee-integration-loan/print>

4. Basic knowledge of UK & European & International legislation

The EU **Common European Asylum System** (CEAS) is a set of EU laws, completed in 2005. They are intended to ensure that all EU member states protect the rights of **asylum seekers** and refugees.

Common European **Asylum System**. **Asylum** is granted to people fleeing persecution or serious harm in their own country and therefore in need of international protection. **Asylum** is a fundamental right; granting it is an international obligation, first recognised in the 1951 Geneva Convention on the protection of refugees

The last approach in EU related to this topics :

https://ec.europa.eu/commission/priorities/migration_en



list of curated resources:

https://ec.europa.eu/home-affairs/index_en

https://ec.europa.eu/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package_en

http://www.europarl.europa.eu/ftu/pdf/en/FTU_4.2.3.pdf

<http://www.europeanmigrationlaw.eu/en/caselaw/cjeu>

<http://www.europeanmigrationlaw.eu/en/free-movement-of-people>

<http://www.europeanmigrationlaw.eu/en/immigration>

<http://www.europeanmigrationlaw.eu/en/asylum>

Internacional:

<https://www.unhcr.org/>

<http://www.europeanmigrationlaw.eu/en/pages/useful-texts>

5. Basic knowledge on host country language learning

As a matter of general information and original source of many of this resources is the contact agenda at :

<http://w2eu.info/uk.en/articles/uk-contacts.en.html>

Is extremely relevant for refugee's service providers in order to quickly access a number of resources.



Module 2

ORIENTATIVE INFORMATION TECHNIQUES

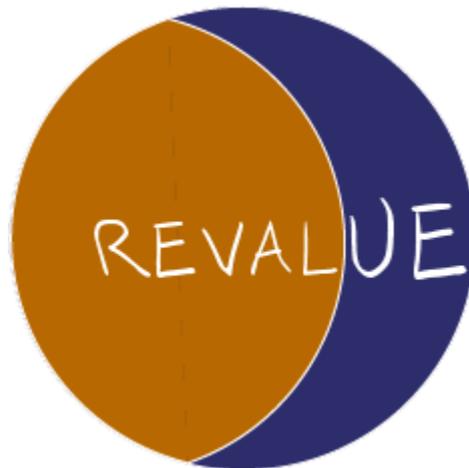




Table of contents

Introduction

Preliminary Considerations

Lesson 1 – *FIRST INTERACTION WITH THE SERVICE USER*

Lesson 2 – *INTRODUCTION TO RECEPTION SERVICES*

Lesson 3 – *ADMINISTRATIVE PROCEDURES AND DATA MANAGEMENT*

Lesson 4 – *PROVIDING ORIENTATIVE INFORMATION*

Annex – Didactic materials



1. INTRODUCTION

This module aims to provide operators with important instruments for the delivery of orientation services, helping them to develop skills and techniques that could enable them to interact positively with the migrants, in a goal-oriented perspective.

The module contents will enable the operator to design intervention projects that are tailored on the needs of the user, providing the required assistance, understanding the pre-existing competences and abilities and showing the better pathway for a valorization of the attitudes and abilities in the country of arrival.

The module objective is to provide the MSP with the fundamental methodologies and instruments that could support him in the orientation and accompaniment of individual in a multidimensional process of inclusion.

Bearing this purpose, we will not focus only on employment, but we will provide techniques and knowledge useful to support individuals in other fundamental aspects, as the support for the development of new ties and networks that could favor the social inclusion of the user.

A particular focus will be placed on the provision of support to users in difficult situation, putting the MSP in condition of valorizing the skills and competences that are not explicitly expressed by the user.

1.1 Objectives

The main objective of this module is to enable the Migrant Service Provider to do activities of reception services, delivering orientative information to individuals who are in need of being followed in their adaptation to the new environment.



The MSP is supposed to take care of the reception of the individual through modalities of active listening; express comprehension for the user; do an initial analysis of the demand of the user; present the services internal and external to the reception structure, providing an orientative feedback at interpersonal level to those who need assistance and defining an intervention strategy according to each specific case.

Moreover, the MSP should be able to provide information that could allow the individual to have access to the needed service; activate the administrative practices related to first reception; register and update the information of the service receiver in the ICT system.

For this reason, it is important that the provider develops the following set of **knowledge**:

- Techniques of information research on internet
- Elements of ethics in delivering services to individuals
- Procedures to enter to local/regional/national/international labour services (public and private)
- Techniques of analysis of the features of the service user
- Techniques of customer reception
- Networks of social services active on the territory
- Networks of labor services active on the territory
- Administrative procedures of the employment services
- Formative offer on the territory
- Normative related to Employment Services
- Knowledge of the local labor market
- Knowledge of the functioning of services on the territory



- Communication techniques in intercultural contexts, with particular reference to identity and relationship issues
- Techniques and instruments of management of intercultural relations
- Introduction to counselling and elements for working with migrants and refugees.

As a result of the activities unrolled in this module, individuals will be able to achieve the following **skills and capabilities**:

- Favouring the relationship between i) migrants and host context; ii) migrants and institutions/local services
- Applying techniques for customer/user reception
- Applying techniques for understanding the needs
- Applying techniques for an effective interaction with the customer
- Applying the established procedures for the delivery of “first information” services
- Using networking techniques
- Using softwares for the management of database
- Applying techniques for active listening
- Applying techniques for communication in an intercultural context
- Applying techniques for oral communication
- Applying techniques for phone communication
- Using techniques for documentary database consulting

At the end of this training process, the MSP will be able to manage the first relation of the asylum seeker/migrant with labor services, doing an effective analysis of demand and individuating the services that could address the user needs in the best way. He will be able to do a filter service, delivering the first information on



professional opportunities, delivering first information on professional, working and formative opportunities. He will be able to address the customer towards services that are inside or outside the structure, acquiring useful information from reliable sources and curing, through a series of modalities, their diffusion, according to the target user and its need. Thanks to an improvement of its relational capabilities, he will establish a relationship built on trust.



2. PRELIMINARY CONSIDERATIONS AND METHODOLOGICAL FRAMEWORK

The Migrant Service Provider will be in charge of orienting the migrants and asylum seekers towards social and economic autonomy and independence. This specific chapter aims to provide information on the general framework of the training that must be delivered to MSP, in order to make them able to understand the demand presented by user and develop an effective mechanism of assistance, developed according to the specific request of the individual.

Recognizing that the orientation activity will be delivered in different contexts and settings, the learning outcomes of this module should be flexible enough to make them contextualized to the particular learning environments and the specific target individuals. In this sense, we will be able to define a determinate project of intervention. A diverse range of assessment methods is required in order to recognize the fact that we will deliver training activities in different national context, under diverse conditions.

This module, whose length is supposed to be equal to 8 hours, is structured to be realized in 4 lessons, that will cover a variable range of activities that could enhance the skills of the Migrant Service Provider:

Lesson 1 – *FIRST INTERACTION WITH THE SERVICE USER*

Lesson 2 – *INTRODUCTION TO RECEPTION SERVICES*

Lesson 3 – *ADMINISTRATIVE PROCEDURES AND DATA MANAGEMENT*

Lesson 4 – *PROVIDING ORIENTATIVE INFORMATION*



For each of these modules, we will provide training materials and bibliographic and sitographic references that could help participants to the MSP to increase their competences related to each specific national context.



Lesson 1 – *FIRST INTERACTION WITH THE SERVICE USER*

Content description

The first module is dedicated to what could be listed to the most important and delicate phase of the whole reception process: the first contact between the Migrant Service Provider and the service user. It is extremely important to create immediately a situation of trust between the MSP and the user, keeping into account the possibility that the beneficiary may come from a situation of particular distress, or may still need support in understanding an environment which is completely new for him.

This process of first contact entails the development of a series of communication skills and understanding of the context, aimed to avoid the risk of keeping the barriers that divide us from the service user. Our purpose in this phase will be the creation of a supportive, encouraging and safe space of interaction with the user, where the individual would be comfortable in presenting its request to the MSP.

On this basis, the MSP will be enabled to develop and manage a trust relationship, built since the reception phase, with the migrant, managing emotively delicate and complicated situations, favouring the respect of cultural peculiarities and different points of view.

A fundamental step will be the development of skill of conflict management, that will enable the supported user in overcoming situation of difficulty and conflict with the new society. With this objective, the MSP will be taught to do the following activities:

- Promotion of comprehension of reciprocal positions



- Activities of comprehension support and management of conflict in communication
- Promotion of assumption of responsibilities and activation of conflict management
- Realization of negotiation activities and orientation of parts towards the reaching of a positive agreement

The objective of this training will be the provision of strategies for supporting communication between different subjects interested in a mediation, identifying strategies for verbal and non-verbal communication that could be most favourable to the occasion.

Knowledge

- Techniques of customer reception and analysis of the problems and social/cultural divergences
- Elements of ethics in delivering services to individuals
- Communication techniques in intercultural contexts, with particular reference to identity and relationship issues
- Techniques and instruments of management of intercultural relations
- Introduction to counselling and elements for working with migrants and refugees.

Skills and capabilities

- Favouring the relationship between i) migrants and host context; ii) migrants and institutions/local services
- Applying techniques for active listening
- Applying techniques for communication in an intercultural context
- Applying techniques for oral communication
- Applying techniques for phone communication



- Applying techniques for an effective interaction with the customer
- Negotiating and mediating



Lesson 2 – INTRODUCTION TO RECEPTION SERVICES

Content description

In this lesson, we will provide the MSP with fundamental information concerning the management of reception services. This is the first moment of contact between the migrant and the specific services that the territory is able to provide him.

After having supported the user in overcoming the difficulties connected to social and cultural barriers, we will focus on his specific demand, understanding which are his skills and which are his expectations in the host country. On this basis, the MSP will be able to analyse the features of the user, selecting which strategies could be used to provide the first orientative information to the individual and how to activate the network present on the territory in order to favour his social inclusion.

In this lesson, the migrant will be taught to provide information related to the service standards of the various subjects active on the territory, on the main actors involved in the activities of reception and on thinking about them as a network, in order to valorize the contribution of all actors, while developing its intervention strategy at the service of the user.

Knowledge

- Techniques of analysis of the features of the user
- Networks of social services active on the territory
- Modes of access and service standards of the different subjects active on the territory
- Main actors involved in the reception activities: roles and functioning

Skills and capabilities

- Applying techniques for customer/user reception



- Using networking techniques
- Techniques of information research on internet
- Applying the established procedures for the delivery of “first information” services
- Applying techniques for understanding the needs



Lesson 3 – ADMINISTRATIVE PROCEDURES AND DATA MANAGEMENT

Content description

This module will provide the MSP the instruments needed to understand how to manage the reception procedures and to get in touch with the administrative procedures of the employment services. He will be trained to become familiar with database and data management software, so he will be able to understand how to consult information.

Moreover, a specific training will be provided for the management of procedures, in order to be able to be autonomous

Knowledge

- Procedures to have access to local/regional/national labour services (public and private)
- Administrative procedures of the employment services

Skills and capabilities

- Using software for database management
- Using techniques for database consulting
- Applying the established procedures for the delivery of “first information” services



Lesson 4 – PROVIDING ORIENTATIVE INFORMATION

Content description

In this lesson, the provider will be trained to provide the needed information to support the individual in his integration pathway. In this scope, the active participation of the beneficiary is strictly important to ensure the success of the orientative process. Thanks to the help of the MSP, the beneficiary will be able to develop a personal pathway to integration.

The beneficiary needs to agree with the plan developed with the service provider and needs to be informed about the objectives of the plan – this will avoid misunderstandings and wrong expectations regarding the labour integration process.

The first step for any individual interested in providing assistance in the context of the REVALUE framework, it is to develop substantial knowledge of the national context in which he is operating. Within the framework of this project, a set of knowledge concerning the legal and juridical context could be developed thanks to the training received in the first module of this project. A general knowledge of the normative framework of the labour market is a fundamental asset for those who are interested to provide orientation.

The more information the MSP is able to collect and provide, the more he will be able to fully exploit the potentialities of the service user, addressing him in the right direction according to his background, competences and expectations.

A general knowledge of the following aspects is hence requested:

- General information on the labor market in the country of arrival
- Knowledge of the institutional framework



- Knowledge of the legal framework
- Knowledge of the European and migration authorities and integration mechanisms in the country of arrival (for instance the European Migration Network)
- Economic, social and cultural information over the country of arrival

Fundamental information need to be delivered concerning the relationship with different national immigration authorities. The immigration authority decides, according to its own national mechanisms, whether to allow the individual to engage in work or not, so understanding exactly and being able to assist in how to obtain authorization by Local Employment Agencies will be a fundamental passage.

In order to achieve a decent level of social and economic independence, migrants need to be assisted in their pathway towards integration. This is an extremely important step, where the MSP is required to put its newly acquired skills at the service of individuals at risk of social exclusion. Therefore, he is asked to be particularly careful to the specific situation of the user.

Another aspect to be considered is the local labour market, in fact it is useful to consider the territorial labour framework when starting to draft the personalised plans. The operators in the Migrant services centres can benefit from a net of local enterprises willing to offer *on the job trainings* to asylum seekers as an example. Therefore, it is important to include in the local net all those strategic organisations and associations that can help and guide the migrant job seekers to find an employment.

Knowledge

- Techniques of information research on the internet



- Knowledge of formative offer on the territory
- Knowledge of the local labour market
- Knowledge of the functioning of services on the territory

Skills and capabilities

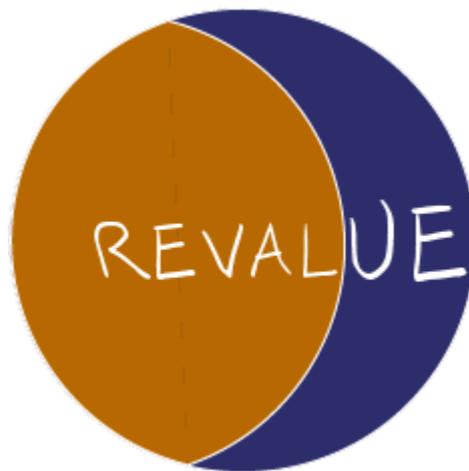
- Applying techniques for an effective interaction with the customer
- Applying techniques for understanding the needs
- Applying networking techniques



Co-funded by the
Erasmus+ Programme
of the European Union

Module 3

SERVICE MANAGEMENT





RINOVA
innovate, create & regenerate



Co-funded by the
Erasmus+ Programme
of the European Union

Gesellschaft für soziale
Unternehmensberatung mbH



Table of Contents

1. Introduction	224
1.1 Module Description	224
1.2 Objectives	224
1.3 Expected Learning outcomes	225
2. Service planning – Service Strategies	226
2.1 Understanding the customer	227
2.2 Understanding one's own abilities	228
3. Service Controlling	228
4. Customer Relationships	230
4.1 Customer Relationship Management Systems	230
4.2 Managing Satisfaction and Dissatisfaction	231
5. Knowledge Management	233
6. Networking	235

1. Introduction

In addition to the other modules of the "Migrant Service Provider" course, the "Service Management" module is intended to provide a further basis for setting up or running your own social enterprise. Customer orientation is especially pronounced in service companies and is also demanded by customers. In order to be able to offer a high quality of services, a structured and effective service management has to be established. This module offers the participants some suggestions as to which organizational units are required for this. It is intended to provide pointers on how service management can be set up, coordinated and further developed.

1.1 Module Description

Fundamental competences in Accounting, Statistics, Finance and Economics are the basis for an successful service management.

This module is designed for professionals working in organisations for migrants (in associations, NGOs...) but also for migrants who wish to support other migrants. This module will introduce the Fundamentals of Service Management, specifically in support of the delivery of migrant services. With the knowledge from this module, services can be analysed, optimized and relations with customers expanded.

1.2 Objectives

In this module, students are expected to learn about the basics of Service Management and have a greater awareness of Service Management.

With this module students can understand the benefits of using a Service Management. The module is intended to enable students to monitor the effectiveness of service strategies and decisions. The module is designed to enable students to improve communication and coordination strategies and improve service quality.

1.3 Expected Learning outcomes

Knowledge

- know about basic methods of writing a questionnaire and evaluate the answers in order to be able to survey and improve customer satisfaction
- know key information on the local migrant services sector and understand the key needs of the customers/ migrants
- are familiar with additional and continuing guidance offers that are not offered by their own organization in order to forward people to competent and relevant contact points.
- collaborate with other professional advisory centers that provide advice in other areas of life
- have internalized the service thoughts, so that the needs of the customers are assumed
- know how to successfully address and reach the customer

Core skills

- be able to use different communication strategies to communicate adequately with different partners
- be able to build networks and collaborations
- be able to act in a service-oriented manner
- know how to manage satisfaction and dissatisfaction
- know strategies of knowledge management



Co-funded by the
Erasmus+ Programme
of the European Union

- be familiar with the basics of office organisation
- have organizational strength and know how to set priorities

Attitudes and Behaviors

- Demonstrate high communication skills
- Empathy
- Very good networking skills
- Patience
- Flexibility
- intercultural competencies
- Good listening skills
- Open minded

2. Service planning – Service Strategies

Service Planning consists of the planning of service activities. There are two partial components for this: operational and strategic service planning. Operational service planning is about the best possible use of existing resources for processing service orders. The skills, abilities and experience of the employees must be known. With this knowledge, employees can be assigned to specific tasks. The strategic service planning serves the coordination between the service activities on operational level and the strategic goals of the enterprise. This includes, for example, the planning of future personnel requirements, sales and earnings planning for the longer term, and the development of new services for the company or organizational unit.

Service strategies focus on designing, developing and implementing Service Management as an strategic asset. To set up a service strategy, several steps are required.

2.1 Understanding the customer

This is about better understanding customer behavior and needs in order to deliver the right service at the right time. Many different methods of market analysis can be used.

An exemplary tool for this is benchmarking. Benchmarking is a continuous process in which products and services of the own organization are measured and compared with those of the strongest competitor.

Another concrete tool is the SWOT analysis. The SWOT analysis evaluates selected company characteristics as strength or weakness. Characteristics, trends and developments in the market or environment of the company are evaluated as opportunity, potential or chance (Opportunity) or as threat, danger or risk (Threat) - depending on whether the positive possibilities or the negative threats for the company predominate.

Further insights into the market and competitors can also be gained through interviews and surveys with potential customers. It is also possible to read publications of industry data in trade journals, statistics.

If participants would like to take a closer look at other tools at this point, they can also read about the methods "Industry structure analysis according to Porter" and the "PESTEL method" in self-study.

Market analysis methods help companies to develop and evaluate their own goals. There is no uniform scheme for a market analysis. It always depends on the individual circumstances as well as questions of the respective enterprise, which methods are used for the analysis. In fact, SMEs can carry out market analyses with their own data and freely accessible information with a manageable amount of time and money in order to create a basis for decision-making in marketing and sales.

2.2 Understanding one's own abilities

The analysis of one's own abilities can help to identify and promote the strengths of one's own organisation. In addition, this analysis can help to find out where there are still weaknesses in the organisation or services. To this purpose, the following aspects should be explored: Own skills (processes, organisation, know-how etc.) and own resources (financial resources, applications, infrastructures etc.) that I need to provide the service. The best way to assess my current situation is to carry out an assessment. The result can be displayed on a spider diagram and clearly shows the need for action in several stages.

After analysing the customers needs and your abilities you can create a bundle of the services you can offer. The following chapters show how the developed services can then be monitored and, if necessary, improved.

3. Service Controlling

Controlling is the process of setting targets, planning and controlling in the financial and performance areas. Controlling includes activities such as decision-making, defining, fixing, taxes, and rules.

As in every business, Controlling has its authorization in Service. Goals are to be defined with corresponding key figures within the various areas of the service, deviations are to be determined and measures for improvement are to be initiated.

Before defining key figures, service processes should be structured transparently, e.g. front services (customer meetings) and back office (creation of internal service instructions, department meetings).

In order to achieve an actual gain in knowledge through controlling, meaningful service indicators have to be determined. These key figures should enable a reliable estimation of the most important service areas for the company. Below you will find some Controlling key figures for the service area that can be used for individual service controlling. In order for

service controlling to succeed, (realistic) target values should be defined. You can use these to easily check the service key figures you

have defined. Therefore the most important controlling instrument is the target/actual comparison of key figures. The planned values (target) drawn up by operational planning are compared with the actual values at regular intervals. The control period for operational controlling is a monthly cycle.

Examples of key figures for monitoring service management:

- Number of customers won
An easy to determine service controlling key figure is the number of customers won in a defined period of time. However, this number is less meaningful if a company/organization has only a few customers, but a high project volume. The same applies to the number of orders.
- satisfaction index
Conduct a regular customer satisfaction survey. Ask the same questions and derive a percentage from the result. This way you can easily measure and track whether and how the satisfaction of your customers has changed. The method of the customer satisfaction questioning is explained in this module in a next section individually, since this is a very important tool around the success of the service management to evaluate and develop on that basis further.
- reachability
How long does it take for a request to be accepted and for the customer to receive the first feedback? Accessibility is the first step to satisfied customers.
- solution competence
At least as important as the reachability is the service indicator solution competence. After all, what use is accessibility if you can't help? Measure the processing time of customer enquiries and determine how long it takes at least, on average and at most to complete an enquiry. It doesn't always have to be fast.

4. Customer Relationships

1) Module 4 deals with the "principles of customer care". In this module it is more about how processes can be monitored, controlled and planned. Like no other branch, service companies are dependent on satisfied customers and their recommendation. But you can only inspire your customers with your service if you know what your customers want. This has already been determined in the chapter "Understanding the customer". Now it's a matter of looking after your customers in a targeted manner.

4.1 Customer Relationship Management Systems

CRM (Customer Relationship Management) can support this. In such a system, for example, customer data can be stored, managed and used centrally. Further functions of a CRM are:

- Document customer information in detail
- Personalize customer approach
- Improve customer service
- Intensify customer relationships in the medium to long term
- Creating better customer loyalty

All employees are also networked with each other using the intranet as an information portal. Current information is published there and can be viewed by everyone at all times.

A large number of free CRM tools can be found on the Internet. These fall into two categories - free of charge, but with restrictions (also called freemium) and open source. The Freemium version can be limited to the number of possible users & contacts, storage space or functions.

Open Source, on the other hand, offers its users an unlimited and fully functional CRM system.

CRM system can develop to the disadvantage of one's own company if software has been selected that does not meet the needs of the company. This can be the case, for example, if

the program is too complex for a small company and thus demands too much administrative effort. Therefore, especially in small organizations with a manageable number of customers, it should first be considered whether a CRM system is needed at all.

4.2 Managing Satisfaction and Dissatisfaction

In writing the questionnaires for customer satisfaction surveys there's a number of elements to consider. The first and most important question is: What do we want to measure, like:

- Initial status of the customer
- Progress of the legal status of the customer.
- Quality of the service managed.
- Outcomes an results against support programs.

A first step necessarily is to determine what are the meaningful data to collect in every case depending of the service and the solution. In general there's many best practice shared about the topic for example:

- Work as a Partner. ...
- Keep it Simple. ...
- Choose the Best Delivery Method. ...
- Ask the Same Question Twice but in Different Ways. ...
- Be Selective From the Start. ...
- Pilot the Questionnaire.

The choice of words and phrases in a question is critical in expressing the meaning and intent of the question to the respondent and ensuring that all respondents interpret the question the same way. Even small wording differences can substantially affect the answers people provide.

Technically it is recommended to use any online survey tool, which will save you compliancy problems against the GDPR:

- Investigate:

<https://www.surveymonkey.com/>

<https://www.surveymonkey.com/mp/sample-survey-questionnaire-templates/>

- Widely used in the industry and and third sector is a very professional tool which has a lot of quality material and even many templates that can serve as an inspiration about.

<https://surveyanyplace.com>

- It is another free service which also provide consistent content for creations and understanding of questionnaires.

<https://surveyanyplace.com/questionnaire-pros-and-cons/>

- Another widely used is:

<https://www.google.com/forms/about/>

- Which adds full management and export capabilities and extensive step by step guidance :

https://support.google.com/docs/topic/9055404?hl=en&ref_topic=1382883

https://support.google.com/docs/answer/6281888?hl=en&ref_topic=9055304

If participants want to take a closer look at tools for measuring customer satisfaction, they should take a look at the Kano model. The Kano model (also known as the Kano model of customer satisfaction) is a model for systematically achieving customer satisfaction in a project or for a complex product. It describes the relationship between the achievement of certain characteristics of a product/service and the expected customer satisfaction. However, this model should rather be used by external consultants and is too specific in this module. If interested, participants can train themselves further at this point.

Kaizen is another methodical concept that focuses on the pursuit of continuous and infinite improvement. The concept is also known as the Continuous Improvement Process. The

improvement takes place in a step-by-step, selective perfecting or optimization of a product or process. Here, too, interested participants could train themselves if they wish to acquire more profound skills for improving their own services and, for example, customer satisfaction.

5. Knowledge Management

Knowledge management can be used to improve a company's ability to generate, apply and transfer knowledge. These activities should also be carried out with the aim of building profitable customer relationships.

The employees with their knowledge and skills are the most important production factors of any service provider. Extensive factual knowledge and skills are the basis for successful service delivery. Therefore, targeted management of the knowledge factor is very fundamental.

The following methods can be used:

- Training and further education concepts and measures, internal and external training courses
- Personnel development plans, staff appraisals and agreement on competence and qualification goals
- Job rotation, varying project teams
- Knowledge specialisation, coupled with the possibility of access to relevant experts if required
- Knowledge databases on relevant topics, with skill profiles, project or experience documentation and expert databases
- Team meetings for the exchange of information

An example of what content a migrant service provider should acquire knowledge about is given below. In addition, links with further information are added to enable you to expand

and update this information independently. This would be a first starting point to fill a knowledge management system with content.

2) While the media and public debate have focused on the initial reception of migrants, recent increases in new arrivals have exposed the underlying governance weaknesses for both the short and long-term responses for integration. Such weaknesses often stem from the lack of coordination among policies across different sectors (such as labour, health, housing and education), as well as across levels of government.

3) There is a need to break these policy silos in designing coherent responses at the local level and by involving non-state actors. Recent events have also been a catalyst for public sector innovation, by bringing together decision-makers across policy areas and from national and local levels. Inspiring examples are found in this report. Such new governance approaches are also valuable for building more resilient communities for all groups, including past migrants and other vulnerable groups. The effective integration of migrants is a critical issue for regional development. Migrants often settle in metropolitan areas in order to access public services, social networks and jobs, and to contribute with their skills and diversity to local development. In many countries, rural areas are seeking new residents to revive their economic and demographic base and may seek to welcome more migrants. In this respect, regional economic development strategies could consider the important role migrants can play in boosting a local economy.

4)

- There is a number of general sources of information at an European level:
https://ec.europa.eu/info/eu-regional-and-urban-development/topics/cities-and-urban-development/priority-themes/inclusion-migrants-and-refugees-cities_en
- And again in the home affairs office of the Commission:
https://ec.europa.eu/home-affairs/what-we-do/policies/legal-migration/integration/action-plan-integration-third-country-nationals_en
- The main network to use as benchmark for the service providers are:
<https://ec.europa.eu/migrant-integration/the-eu-and-integration/networks>
- And at European level this is the main source to keep updated:
<https://ec.europa.eu/futurium/en/inclusion-of-migrants-and-refugees>
- Here you can find local information by country:

<https://reliefweb.int/topics/refugeesmigrants-emergency-europe>

- At a local level in the UK for example you can start in the main established non government organization:

<https://www.migrantsorganise.org/>

6. Networking

5) As a service provider, the participant should be able to create, keep and maintain an agenda of contacts, a selected and curated set of news letter of their local stakeholders, and a series of news feeds topic related. We can compromise all this knowledge as the Transversal topic of Network Management:

6) In general to maintain and endure and nurture a profesional network participants should acquire a number of routines:

- Stay in touch. Don't expect that just having someone's name on your contacts list is enough.
- Connect your contacts. Share connections with other people in relevant an meaningful ways, that will consolidate your topic especific contacts.
- Ask how you can help.
- Share resources.
- Include and collaborate.
- Attend social events.
- Pick up the phone.
- Update your social media sites.

7) To be truly successful at networking, you need to be continuously making new connections while at the same time nurturing the relationships you have.

8) This could be an example result of what it is expected from this Learning Outcome at the local level of London:

- <https://www.uel.ac.uk/-/media/main/images/psychology/refugee-mental-health-and-wellbeing-portal/directory-of-refugee-organisations.ashx?la=en&hash=2A98DC8A1FF7D69173240DA62FE3A469BC4ECBDA>
- <https://www.refugeecouncil.org.uk/servicedirectoryupdate>



Co-funded by the
Erasmus+ Programme
of the European Union

- <http://londonwelcomeproject.org/>
- <https://www.migranthehelpuk.org/>
- <http://www.hackneymigrantcentre.org.uk/>
- <https://islingtoncentre.co.uk/>

9)

The following activities can be used to establish and expand a network:

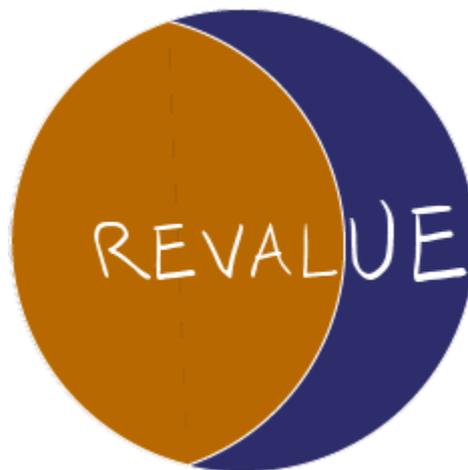
- networking with partner organizations, authorities, professional experts, professional social workers
- public speaking and attending networking events
- talk with refugees and companies about intercultural topics
- provide individual counselling appointments
- support team with required training
- regular professional team meetings, supervision, training
- research and develop contacts for network.



Co-funded by the
Erasmus+ Programme
of the European Union

Module 4

PRINCIPLES OF CUSTOMER CARE



By Faustine-Louise Blanco Poisson and Yazin Gunay

Coordinated by dr Bénédicte Halba,



Co-funded by the
Erasmus+ Programme
of the European Union



1. Module Description

This module is designed for professionals working with migrants (in associations, NGOs...) but also for migrants who wish to support other migrants.

In this module, we will take a broader look into the principles of customer care for services that target ordinary customers while exploring how these principles can be transferred to the field of migrant oriented services.

Over the years, the customer service field has designed some sophisticated methods for handling its clients. This expertise can be used to improve the relationship between migrants and those who are supporting them.

In this case, principles of customer care should be accompanied with non-formal and informal support and involve professional services. All activities and behaviours that improve the delivery of services and help the functioning of the organization where professionals and migrants/refugees work should be included in this category; such as non-formal and informal guidance given to support migrants.

Some of those activities and behaviours can go unnoticed at first glance, since they can be as simple as having a correct attitude - smiling, giving comfort and reassurance.... Good communication is essential for customer service (or guidance for migrants) to work in fair conditions, so these less evident aspects of interaction between providers and their clients should not be ignored.

2. Objective

Our first objective is to inform professionals and migrants on the principles of customer care for business. We are mainly interested in customer care as “after sales services”, rather than methods for improving sales. In particular we will see how far we can apply these criteria when acting as social workers.

We also strive to encourage migrants and refugees to take part in services that target their communities. The benefit of migrants taking on these roles is twofold. On one hand, this will allow some migrants to quickly become productive members of society and encourage them to be

autonomous. On the other hand, their participation in social services should improve a fair communication between organisations and targeted populations and in a way democratise of social service delivery. Migrants and among them refugees who are willing to work in social services should be essential parts of programs targeting migrant populations.

Professionals should be trained to provide adequate and personalized service to every client. This means a transfer of key information in the field of communication and adoption of certain strategies that should improve the relation between the social worker and people whom he/she addresses. In this context, communication inside the organization itself should also be improved for transparency and accountability reasons. Information should be given on the subject of intercultural mediation, and how it can help migrants - in term of solving problems, building trust and enhancing intercultural sensitivity.

Finally, we aim to familiarize the professionals with the notion of non-formal and informal work done by professionals, which signifies parts of the service work that are more abstract. Just as customer service intends to improve customer satisfaction, social work should intend to improve (or alleviate) the mood of those who are receiving the service. The way the people are treated has an immense effect upon the delivery of service and its ultimate success or failure. A provider who takes into account the feelings and behaviour of their “client” is much more likely to inspire cooperation and sincerity. These attitudes and small nuances in communication are not tasks in and of themselves but they should be studied regardless in order to improve the overall quality of service.

3. Necessary components for a good service

Delivery of a good quality service requires a wide range of skills that will enable workers to perform tasks such as ;

- Solving problems, building trust, enhancing intercultural sensitivity, professional administration, and good inner communication.
- Identifying and responding appropriately to safeguarding and protection issues with vulnerable clients, including children and vulnerable adults
- Raising awareness of wellbeing of service users and reporting any issues to appropriate person.
- Undertaking sensitive and comprehensive interviews with service users to assess their needs
- Providing on-going interpretation, advice and practical support to individuals using the service, responding to their needs as they are identified.
- Respecting the sensitivities of individuals social workers are helping
- Refrain perpetuating stereotypes , clichés and discriminatory behaviours



Co-funded by the
Erasmus+ Programme
of the European Union

4. First theoretical content- principles of customer care

We will first explain the principles of customer care in business in order to apply them to a not for profit environment

4.1- Principles of customer care³¹

Understanding the aforementioned tasks and showing a consistent performance is easier if they are boiled down to their essentials that are presented as basic criteria. This is in similar vein to businesses that deliver customer care to their consumers based on their guidelines that are built upon common principles. Indeed the principles here are taken from the customer care playbook. Here we will look into five main principles of customer care but others can be taken into consideration as well; nevertheless this should provide a good starting point for anyone trying to maintain a strong customer care culture in their own organization.

4.2 Customer Care Principle 1: The first contact point with the client: Customers don't usually know or see what goes on behind the scenes, so their opinion of your organization stems from "customer touchpoints." These customer touchpoints occur any time a customer comes in contact with your company and uses that experience to form an impression of our organization. Front-line employees — whether they're communicating face-to-face, on the telephone, or via e-mail—are in direct and constant communication with your customers. An investment in the skills and knowledge of these employees is very much an investment in the customer experience. The better they treat the clients the more content they will become. An antagonistic or indifferent exchange between the client and the employee can be damaging for the client's overall experience. A bad experience might result in a loss of faith for the customer, which could be exacerbated by inadequate sharing of information. It's not easy to provide a service to a customer who is being uncooperative.

We can easily see how the same can be said for those who are helped by social workers. A caseworker is the main point of contact between the organisation and the person in need. A good relationship between the two is indispensable for the delivery of the service. All workers who regularly come into contact with "clients" should receive instructions about how to "handle" them, how to establish and maintain good communication, how to address them, how to handle delicate issues etc. In this context, "customer satisfaction"

³¹ http://customerthink.com/5_principles_of_customer_care/



Co-funded by the
Erasmus+ Programme
of the European Union

isn't that much far away from a migrant's satisfaction of the services that they have received. In both scenarios, a happy client improves the overall quality of service and promotes continuity.

4.3 Customer Care Principle 2: Employees' satisfaction: Studies have shown that a strong link exists between employees' job satisfaction and the quality of customer service those employees provide. Customer care — whether that means selling shoes or fixing servers — is an intrinsically rewarding profession. Simply put, it feels good to be of service to someone, to make something good happen to another person. This is the kind of attitude that motivates employees to create a strong culture of customer care, but it doesn't typically happen unless the employees themselves feel valued by their company and satisfied with their jobs. It may sound obvious, but it's worth noting: If employees aren't satisfied on the job, they're usually not motivated to demonstrate a high level of customer care; at best, they'll do just enough to get by. Care should be taken to show the workers that their efforts are being appreciated, which necessitates, beyond the salary, a managerial culture that is transparent and respectful towards employees. Being appreciated for showing an effort inspires more hard-work.

For people who are working in social services, the value of the service provided is obviously much higher. However without a supportive work environment and a management that is receptive towards the concerns of its employees, people can just as easily feel undervalued and become undermotivated as a result. It should be mentioned that while being more rewarding, social work is also often much more personal, and a relationship between a caseworker and a person in need goes far beyond that of a customer care specialist and a consumer's relationship. For the client, stakes are much higher, the situation is also often much more urgent. All of this means social work has the potential to be far more exhaustive. Monetary compensation can also be less than satisfactory in many cases. Caseworkers are also in need of being appreciated, their crucial role for people who need assistance should be acknowledged.

4.4 Customer Care Principle 3: Show Customers They're Valued. The third key principle of customer care is to show customers that they're valued by your company. Many organizations make the mistake of assuming that customers know this and don't need to be explicitly told. Of course, the most important aspect of showing customers that they're valued is to take care of their need or request in a timely, efficient, and correct manner. At each and every customer touchpoint, employees should maintain a mindset of earning the business and trust of customers, never taking it for granted.



Co-funded by the
Erasmus+ Programme
of the European Union

For a person who is moving to a new country, especially as a refugee, many parts of the journey has the potential to be humiliating or undignified. A migrant is regularly subjected to checks, procedures, hearings, applications so on and so forth. This process is especially acute for fresh migrants. For social work, overcoming these disadvantages and showing a migrant that they are valued can be very beneficial; it can inspire motivation help migrants become more driven individuals. Being valued as an individual after many potential hardships that happened or in the process of happening can help boost the resolve of said individuals.

4.5 Customer Care Principle 4: Internal Customer Care is as Important as External Customer Care. Internal customers are the colleagues of the enterprise. All too often, companies place a strong emphasis on external customer care while losing sight of the fact that internal customers matter just as much. Because somewhere down the line, the service provided to an internal customer will show up in an external customer transaction. Organizations in which a customer care culture is truly embedded do not make distinctions about internal and external care. Each employee's mission is simply to demonstrate excellence with every task.

Social work often requires cooperation between various actors, including various state sponsored organisations at local and national level, government funding, partnerships with the private sector, other associations, religious organisations etc. A good relationship with these groups allow organisations to take on more daunting tasks, help more people, grow and let others grow as well. Thus these partnerships should be cherished and partners from different parts of life should be contacted regularly. More partnerships also mean a larger scope for the organisation, a better understanding of the existing conditions.

4.6 Customer Care Principle 5: Train Your Staff to Deliver Great Customer Service—and Hold Them Accountable. You can't assume that people will perform to expectations unless you give them the necessary skill set. If you're serious about embracing a culture of customer care, you need to educate employees as to what this notion "looks like" on the job. It shouldn't be taken for granted that employees know what goes into good customer service. They may have some good instincts and they may each take certain measures that they personally feel will provide good service, but this hopeful and hodgepodge approach isn't enough. Providing training in both your company's customer care philosophy and in their job-specific service skills is a huge and all-important first step. Once employees have been trained, it's essential for them to be held accountable for putting their customer care skills into practice on the job. This, of course, means strong and consistent coaching on an ongoing basis.

Finally, once you've trained employees and held them accountable for putting their customer service training into practice on the job, be sure to reward them for their success.

For service workers, this means training about various aspects of the job, including the ones that are proposed in this manual. We are of the opinion that without a set of guidelines and some formation that is based on those guidelines, objectively evaluating the work of care workers will prove nigh impossible. A set of rules and a skill set that is obtained during training means everyone can be held accountable of their actions; undesirable and unprofessional behaviours can be weeded out much more easily this way. Professionalism needs to be instigated from the top and from the beginning, otherwise it is futile to expect people to abide by some vague concepts on their own.

4.7 Adapting the customer care principles to the context- associations and their audience (migrants including refugees)

These examples of principles of customer care are specific to business (or commercial world). For the Revalue context we should substitute the words "client" with "migrant" and "enterprise" with "social enterprise" or "association" or "organisation" helping migrants. Moreover, the term "employee" can be considered as an employee of these associations or organizations, but also as the team of volunteers working in these associations. Indeed, associations often work with volunteers.

The definition of migrant oriented services can include NGO-style advice and welfare services, as well as organisations that provides products and services to the migrant community. The application of these principles requires good communication within the organisation as the internal culture undoubtedly has an effect on services provided.

In the field of social work for migrants (for example an association providing meals, associations of professional counsellors for migrants or any other kind of help) the five principles of customer care would be far more effective if they are applied while the worker is smiling, listening, giving useful advice for everyday life and so on. These types of behaviors are called "unofficial services" because they are not tangible tasks in the sense that one cannot be paid for just smiling.

Having the right attitude for improving the interaction can ease the delivery of the service and making others feel better can be rewarding as it's explained above. However it should not be ignored that the social worker here still performs an "emotional labour" as defined by sociologist Arlie Hotschild. This emotional labour involves the regulation of emotions and behaviours during professional interactions; social worker is expected to behave a certain

way regardless of their actual mood. This is already the case for many professions; mainly those are in the service industry.

Maintaining a positive attitude can be taxing on individuals' mental and emotional health and the fact that regulating emotions is a work should be acknowledged by the organisation. Intense emotional labour might cause burnout and reduce the employees' satisfaction³². A positive workplace culture where service providers can freely communicate and confide in their superiors is essential for preventing an exploitative relationship between the organisation and social workers.

These strategies here are not used to generate profit, however it a good experience for the migrant is useful for the association in many ways. It's always positive to have a good feedback, especially for the reputation of the association. With "good" services, the persons who will benefit from it will easily remember the association and will recommend it to their peers. It is a long-term process that builds trust in the association among concerned communities. Following these five principles of customer service in your association will promote a problem-solving attitude, install trust and boost intercultural sensitivity.

These main principles can be simplified further if necessary, and they are by no means exhaustive. They are however complementary, and they should be applied together for them to work well. Further principles can be developed in addition to these basic ones. For example³³:

- Understand the customers 'need : customer listening can be done in many ways, for example feedback forms, satisfaction surveys, but also by listening the comments or remarks made by the customer
- Customer service must be coherent between all branches of your organization or between all salaries. Customers expect consistent quality of customer service; with a similar, familiar look and feel whenever and however they are in contact with your organisation.
- Employees are customers too. An employee or volunteer in your organization may have been an user of your services or they are currently benefiting from one of your services and therefore can understand the best way or the most appropriate way to provide service.

We can say that principles of customer care should be based on altruism, especially in the field of association helping migrants, because of the "human aspect" of the activity.

³² Grandey, A.A.; Fisk, G.M.; Steiner, D.D. (2005). "Must "service with a smile" be stressful? The moderate role of personal control for American and French employees". *Journal of Applied Psychology*. **90**(5): 893–904.

³³ <https://mftrou.com/quality-customer-service/> consulted on January 2019

According to Collins English dictionary³⁴, altruism “is unselfish concern for other people’s happiness and welfare”. The word “altruism” was invented by the French philosopher Auguste Comte, as opposed to *egoism*. He derived it from the Italian *altrui*, which in turn was derived from Latin *alteri*, meaning “other people” or “somebody else”.

5. First theoretical content - Intercultural mediation 35

Another main theoretical reference for this module is to explain the intercultural mediation approach.

First and foremost it is necessary to be aware of the migrant situation in Europe in order to facilitate the assistance to migrants as much as possible. A definition for migration proposed in the *Oxford Concise dictionary of Politics* is the following: “*the permanent movement of individuals or groups from one place to another. Migration is of course a basic fact of human history*”.³⁶

A main concern of the European Union is the sharing of experience on migration politics and practices, to bring different interests, views and perspectives. Migration is to be considered in two levels : a macro-level perspective closely linked to policy-making processes : legislation, institutionalization of migration policy, strategies of inclusion of immigrants, security concerns, human rights issues) ; a micro-level perspective to raise and answer questions about migrants’ everyday life”.

Migrants or social workers working with migrants should be aware of these differences of point of view, and should be able to provide information or advise on this topic. There are different patterns of migration and therefore profiles of migrants

- forced migration : war or starvation – profile of migrant: refugees
- ethnic migration : religious or political reasons – profile of migrant: asylum seekers
- illegal migration : trafficking – profile of migrants: economic slaves or prostitutes or undocumented migrants
- economic migration : profile of migrants : circular workers with a regular status
- “life cycle” migration : moving at retirement to a warmer climate, getting married, having children

³⁴ <https://www.collinsdictionary.com/dictionary/english/altruism> consulted on January 2019

³⁵ The content of this point is inspired by Halba (B)- Training for intercultural mediators, designed under the TIPS project- Leonardo Da Vinci 2007-2009-Led by FOR.COM (Italy)-Bénédicte Halba (Iriv) for TIPS, Paris, July 2008 with some other updates

³⁶ Lain McLean , The Concise Oxford Dictionary of Politics, Oxford University Press, Oxford, 1996.,

The different profiles of “legal” migrants are therefore: workers (labour market) ; families (family reunification) ; students (studies abroad) ; and refugees (asylum) when the official authorities have delivered their agreement ;

In opposition, according to the International Organization for Migration (IOM) **illegal immigration** or **irregular migration** refers to “Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term "illegal migration" to cases of smuggling of migrants and trafficking in persons”.³⁷

To achieve the stated objective of solving problems, building trust and intercultural sensitivity, we can rely on elements of intercultural mediation. According to the definition of Squire Patton Boggs given in the newspaper *La Revue* in november 2009, Intercultural mediation “is the act of establishing social links between people from different cultures”. “It consists to develop links of sociability between people from different cultures who reside in the same territory. Intercultural competence is defined by the ability to communicate successfully with people from other cultures. This skill may be present from an early age or, according to the disposition and will, can be methodologically developed. The basis for a successful intercultural communication lies in the emotional competence and intercultural sensitivity”.³⁸

To avoid conflict between migrants-or community or migrant- we should give the participants the definition of conflict.

A conflict is not easy to define as it is usually taking various forms and happens in different contexts. We may propose the following definitions³⁹ :

“1. Opposition, antagonism, difference, disagreement, discord, dissension, friction, hostility, strife;

³⁷ <https://www.iom.int/key-migration-terms>

³⁸ http://en.wikimeditation.org/index.php?title=Intercultural_mediation

³⁹ Harper & Collins « Dictionary and Thesaurus », first edition 2003, New York (USA)

2. Battle, clash, combat, contest, encounter, fight, strife, war ;
3. Incompatibility”

The term is used each time « a situation faced by individuals or groups whose main objectives, cognitions or emotions are incompatible and meant to oppose ». ⁴⁰

Three types of conflict may appear:

- conflicts of objectives : when the goals and objectives of the different parties are incompatible ;
- cognitive conflicts: when ideas or thoughts of the parties are incompatible ;
- affective conflicts : when feelings or emotions are incompatible.

Social workers should be aware on the cultural problem which they can be faced to in their organisation, such as:

- interpersonal conflict (between individuals) : it implies at least two or more individuals opposed in their preferences in matter of objectives, behaviours and values. There are different ways to face the problem : abstention, which means lack of authority and cooperation that leads to frustration for everybody ; oppression, which means an authoritarian behaviour without any cooperation spirit equally source of negative feeling (losers versus winners) ; conciliation, which means a cooperative behaviour with lack of authority well received but less estimated ; cooperation is a behaviour commonly well accepted as it is integrating a will of trust and collaboration ; the research of a compromise is a halfway behaviour between cooperation and authority based on equal exchanges generally well appreciated by the group ; these types of conflict often happen in family or associations
- intra-organisational conflict : it comes from the opposition raised by the way role and tasks are dispatched among the same structure/organisation- such as the generation gap problem (youngsters/elder migrants) or the gender gap issue (women/men) ;

Being aware of these elements, the person working in an organization employing migrants will be able to better understand the sources of conflict inside his association and ensure that they are avoided or solved. This person should be as neutral as possible to try to resolve conflicts. A conflict may be fruitful and usable as it might help to avoid any «

⁴⁰ Hellriegel, Slocum, Woodman, Management des organisations, De Boeck & Larcier, Bruxelles, 1992.

collective thinking » or to solve a hidden opposition between members of a group or between group. It might help under the following conditions:

- both parts agree on the sources of the conflict ;
- both parts are willing to find a solution” ;
- both parts recognise the neutral position of the other member of the association trying to resolve the conflict.

The first task of a professional working with migrants is helping migrants- whatever their profile. Here too, some precisions can be made about the various barriers encountered by migrants, such as:

- a barrier linked to the status of the migrants : the legal or illegal situation of the migrant in the host country has a decisive impact on his/her behaviour and solution of the conflict ; in France, in recent years, many illegal workers, counselled by trade unions chose to go on strike to obtain better working conditions and ask for the regularisation of their situation ; often with the support of their employers they have been successful in their demand.
- a barrier linked to the language : many conflicts may be quite easily solved when migrants could explain with their own words what was going- the communication with institutions is complicated by the problem of language even though speaking the language of the migrants is necessary but not sufficient ;
- a barrier linked to illiteracy: life is very difficult when you can't write or read, even though you can speak the national language; many conflicts with institutions are linked to this problem as migrants couldn't read the information and so couldn't answer in due time or react in the appropriate way; it is also a problem in transport when you are travelling or in any work as many things are written;
- a psychological barrier : migrants are often faced to difficult situation (education, employment, housing...) in the host country ; as a result they often have a bad feeling of themselves and suffer from a lack of self-esteem that makes relations with institutions complicated or in a defensive way ; giving migrants a good image of themselves is an important element ;
- a financial barrier: everyday life is often difficult for migrants, their first source of exclusion is economic; mostly low qualified workers, they don't earn a lot of money; everything is very expensive for them and they usually think they couldn't afford it such as medical support or access to education ; this is a source of conflict as they would refuse any service or support they are entitled to receive ; explaining them that migrants, poor or rich, have the same rights as any national citizen is a key issue ;

- **a cultural barrier**: migrants don't know the institutions of the host country and the way they are working as this is also difficult for a native person; they are shy to ask for information as they take for granted that any native knows everything; their lack of knowledge and experience in the field is making them be aggressive; recalling the fundamentals and introducing the main tasks and missions of each institution they are faced to is fundamental.
- **an education barrier** : some attitudes or behaviours are tolerated in certain societies and are not in other ; being aware of societal or religious taboos.

Having in mind these elements, migrants or employees working with migrants can bring more conveniently solution or advise to the other migrants' problems.

6. Some Pedagogical Activities

6.1 presentation of participants / roundtable

Popular education enables people to learn outside of traditional educational system, an education aimed at social progress.⁴¹

The presentation can be made in a playful way: everyone stands, and places himself in the line regarding what the trainer asks - this is called "presentation in tandem".

In complement, people are obliged to communicate with each other to know their place on the line :

- by alphabetical order for the name
- by age: from the youngest to the oldest
- by number of trainees : from 0 to 3, 4, 5 ...
- how many times they are working in organization helping migrants (can be sorted by number as well, and ask them to present their organisation work...).

This "game" is flexible in terms of what we expect from participants (if they are migrants: how long they are living in France, where they come from...).

This kind of presentation aims to break the formal appearance as well as the shyness of people and find common ground between them.

6.2 Discussion in small groups:

⁴¹ <https://mftrou.com/quality-customer-service/> 9 principles of quality customer services. Management for the rest of us.

By groups with 2 or 3 people from different countries or regions. The trainer can create groups (thanks to the elements given in the first step) or let participants choose who they want to continue with.

Give them thematic sheets (home, studies, families, work) and let them talk together. The aim is to create new connections.

This activity is for bringing together all the participants regardless of their differences (without differences of nationalities, religions, ethnicities...). As a result, it is advised to create groups that have similar compositions, as opposed to “differentiated” groups based on differences that can be delicate and non-constructive.

The professional can also make use of one-on-one interviews. Some people are more inclined to talk in private, especially those who want to discuss issues that are sensitive to them. In a group environment, individuals are less likely to share information since they might fear from being judged by the group. In a one person interview the caseworker is closer to the interviewee who can feel at ease.

Try to keep the class engaged by regularly asking questions and taking small breaks. After explaining each principle, you can encourage students to apply what they have learned by having small roleplay sessions.

6.3 Roleplay

Since customer care is mainly about human interaction, learning important points on paper alone is not enough for making them work. Developing communication skills is much easier if the information given is applied afterwards. A good way to keep the class interested and check their level of progress is to simulate various encounters during the classes.

Divide the class in groups of two and ask one of them to play a migrant/person in need and the other one to play a caseworker. After a while roles can be changed. Walk among participants as they enact their scenarios. You can help the pairs that are stuck. You can also choose one of the pairs to perform in front of the class, explaining where they went right or wrong etc.

Depending on the size of the class, you can also have larger groups and simulate more complex scenarios. You can ask the trainees to play a salesman in order for them to grasp the similarities and differences between the two roles. You can also ask them to play the



Co-funded by the
Erasmus+ Programme
of the European Union

members of the same group (several caseworkers for example) and give them a problem to solve as a group.

Considering some of the migrants who participate in the exercises might be in the process of learning the language of instruction, the trainer must make sure that everyone in the class is at least able to follow what has been said. Terms mentioned while explaining concepts such as “customer care” etc. should be clarified using a simple vocabulary.

6.4 : Clarifications & Methodology

Explain to persons working in associations that help migrants how it can be useful to have migrant ‘employees or volunteers in their team. Migrants can advise and support other migrants because they are migrants as well. They have the potential to understand other migrants better than anyone else, thanks to their shared experience. They have the necessary language skills: many migrants speak Arabic which is one of the most widely spoken languages in Africa and Middle East, continents where most refugees come from.

For refugees, dealing with people who are perceived to be similar (due to their country of origin or a shared migration experience) might also help them overcome their concerns. It can often be tricky to convince migrants to undertake tasks that seem complex/far-fetched or to disclose sensitive information that is necessary for the progression of the case. A diverse working environment is more likely to reduce the asymmetry between the caseworkers and migrants and install a relationship of mutually beneficial cooperation as opposed to a scenario where migrants/refugees follow the expertise of this or that authority figure. A horizontal relationship between the client and the caseworker allows a frank exchange of information and opinions between the two sides.

Explain to participants the functioning of social organizations and the roles they can assume at work. For migrants especially, it might be difficult to discern which career paths are available in a foreign country. The trainer should give information on the various positions that exist in an association or in other organisations that help migrants, and if applicable, necessary certificates/diplomas for getting hired. Basic information such as websites where job postings can be found etc. can be shared as well.

The trainer must pay attention to the language that he/she is using during the class and respect the different sensitivities in the group. Simplistic “clichés” about ethnic, racial or religious groups should not be perpetuated in the classroom. Discriminatory language of all kind and slurs should not be used. The trainer must avoid this kind of language and

reprimand those who use it in the class. For example : “Asians are good at maths”, “women are bad at driving” etc.

This kind of training (presentation in tandem, discussion by groups, etc) is proposed by the Cooperative “SCOP Engrenage” in France during a training entitled “work on one’s associative project”⁴² . It involves both "old" and “new” arrivals,. The work consist in expressing each other's desires and ideals to bring out a clear project of the association's values”.

Further information:

In this module we have explained the principles of customer care and its applications in social care settings. For more information follow the links in

Halba (B), Training for intercultural mediators, Paris, july 2008.- TIPS- training designed for the TIPS (Forcom, Rome, Italy- Leonardo da Vinci project, 2007-2009)

<https://mftrou.com/quality-customer-service/> 9 principles of quality customer services.

http://customerthink.com/5_principles_of_customer_care/

<https://www.iom.int/key-migration-terms>

http://en.wikimediation.org/index.php?title=Intercultural_mediation

<https://www.collinsdictionary.com/dictionary/english/altruism>

<http://lengrenage.blogspot.com/p/nous-faire-venir.html>

⁴² <http://lengrenage.blogspot.com/p/nous-faire-venir.html> Consulted on January 2019