

INFORMATION NOTE

Home Office Asylum Programme

1. Home Office duties/responsibilities

- 1.1 The Home Office is responsible for fulfilling the United Kingdom's obligations under the 1951 United Nations Convention relating to the Status of Refugees (the Geneva Convention) and ensuring that those genuinely fleeing persecution are given the protection they need.
- 1.2 To achieve this, UK Visas and Immigration (UKVI) currently provides a suite of statutory and elective support services for asylum seekers, failed asylum seekers and refugees. Statutory provision is in accordance with the Immigration Asylum Act 1999, the Asylum Support Regulations 2000 and the EC Reception Conditions Directive 2003/9/EC.
- 1.3 Destitute asylum seekers are provided with accommodation, transportation and cash/subsistence support, funded by Home Office, whilst their application for asylum is being considered. All asylum seekers can access independent advice and guidance and translation services, including community outreach: to ensure they meet the conditions of their temporary admission in the UK and requirements associated with their receipt of Home Office financial assistance:
- 1.4 The Home Office provider of accommodation and transport for destitute asylum seekers in the North West is Serco. Serco Housing and Welfare Officers have safeguarding duties and are in regular contact with clients they accommodate.
- 1.5 Migrant Help, a non-governmental organization (NGO), deliver independent advice and guidance through a national Asylum Help service which includes outreach and community development work in the North West.
- 1.6 Serco run an initial accommodation facility in Liverpool, at which Migrant Help staff are permanently based.

2 Key facts

- 2.1 Nationally asylum applications from main applicants increased by 19% to 29,024 in the year ending September 2015, the highest number of applications since the year ending June 2005 (30,314). The largest number of applications for asylum came from nationals of Eritrea (3,726), followed by Sudan (2,842), Iran (2,407) and Syria (2,402). Grant rates vary between nationalities; for example, at initial decision, the grant rate for nationals of Sudan was 84%, compared with 21% for Pakistani nationals.
- 2.2 Most applications for asylum are made by people already in the country (91% of applications in the year ending September 2015) rather than on arrival in the UK at a port. The majority of applicants tend to be young and male.
- 2.3 In the year ending September 2015, the number of initial decisions on asylum applications increased by 87% to 29,246, following a reallocation of case-working resources to this area, slightly more than the total number of applications received. Of these decisions, 41% (12,011) were grants of asylum or an alternative form of protection, compared with 38% in the previous year. This is the highest number of grants since the year ending September 2003 (15,556).

2.4 In addition, a total of 776 people were resettled in the UK in the year ending September 2015. Of these, 162 (252 since the scheme began) were granted humanitarian protection under the Syrian Vulnerable Persons Relocation Scheme. On 7 September, the Prime Minister announced an expansion to the existing Syrian Vulnerable Persons Relocation Scheme. Through this expansion, it is expected that 20,000 Syrians in need of protection will be resettled in the UK by 2020.

2.5 Estimated figures show the UK had the seventh highest number (36,000) of asylum applications within the EU in the year ending September 2015, including dependants. Germany (318,000), Hungary (190,000) and Sweden (94,000) were the top 3 receiving EU countries.

3 Definitions

3.1 An asylum seeker is someone who has applied for asylum and is waiting for a decision as to whether or not they are a refugee. In other words, in the UK an asylum seeker is someone who has asked the Government for refugee status and is waiting to hear the outcome of their application.

3.2 The 1951 United Nations Convention Relating to the Status of Refugees defines a refugee as *“A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”*

3.3 In the UK, a person is officially a refugee when they have their claim for asylum accepted by the government.

4 Recent developments

4.1 Local authorities across the North West have been approached by the Home Office and the North West Regional Strategic Migration Partnership in relation to the dispersal of asylum seekers. The government’s approach previously has been to work with a number of larger metropolitan local authorities to secure suitable accommodation to procure asylum dispersal accommodation. The North West Strategic Migration Partnership has been leading a consultation with UK Visas and Immigration across Lancashire / Cheshire on agreements to widen asylum dispersal across the region.

4.2 Asylum seekers are dealt with and processed through the Home Office contractor in the North West who is Serco. If they receive a positive decision on their asylum application they will then receive refugee status. If not they can appeal and if they lose it can lead to deportation.

4.3 The provider for the North West, Serco, is required to consult with local authorities on its procurement of dispersal accommodation. Temporary dispersal accommodation and accommodation procured under contingency arrangements fall outside the scope of the requirement to consult.

4.4 In 2012 the Strategic Migration Partnership (SMP) developed a protocol for the purpose of supporting the transition from the previous asylum accommodation contracts to the current contract. This protocol has been adapted and refined and has been agreed with Serco, and

endorsed by the Home Office as the vehicle for procurement consultation across all local authorities in the North West to whose areas asylum seekers are dispersed. Under this protocol Serco submits a request on a standard proforma for the relevant local authority to undertake a Postcode Check (PCC) in respect of every property it wishes to procure as dispersal accommodation.

4.5 Local authorities have no privity in the contract between the Home Office and Serco, and are under no statutory obligation to co-operate with either the Home Office or Serco. However, they are required to deliver a range of statutory services to asylum seekers, as well as ensuring that community resilience and service delivery is not materially tested.

4.6 Engagement with the procurement process allows local authorities to maintain a degree of influence over asylum dispersal. The influence that the process affords can be used to limit and mitigate the adverse impacts of dispersal, and can ensure that local authorities can extract a benefit where possible (e.g. considerable investment in private rented sector stock, and bringing empty homes back into use).

5 Postcode Checks

5.1 Under the agreed protocol Serco submits a request on a standard proforma for the relevant local authority to undertake a Postcode Check (PCC) in respect of every property it wishes to procure as dispersed accommodation. Serco employs a dedicated team, whose primary function is to procure properties within the agreed dispersal areas.

5.2 Having identified a suitable property Serco carries out an initial check in order to establish whether the property meets its requirements.

5.3 If a property passes the initial check Serco submits a Postcode Check Request by email to a nominated officer in the relevant local authority containing details of the property to be procured.

5.4 The recipient consults with colleagues within the authority, as established by each local authority. This consultation may involve specialists in:

- Planning
- HMO licensing
- Social Cohesion
- Housing strategy/private rented sector management.

The PCC form includes sections which are used to record the results of consultations.

5.5 In two tier authorities Serco will contact the upper tier authority in relation to Education and Health Care Services.

5.6 The local authority will also, in all cases, consult with the relevant police force in order to establish whether there are high levels of crime (especially hate crime) and antisocial behaviour in the vicinity of the property, or whether there are any other reasons known to the Police that would result in advice being provided not to proceed with the proposed procurement. There is no prescribed format for the consultation with the Police: it is for each local authority to establish with the Police the scope of the checks the Police undertake and the officers or teams with whom they should consult. The format of the Police consultation in terms of information to be provided, and tolerance thresholds for crime, ASB etc, are determined at a local level, and will vary between local authorities, and between Police forces.

- 5.7 Having concluded the consultation with internal colleagues and the Police, the nominated local authority officer will reach a conclusion on whether the Postcode check should be rejected or approved, and in the latter case, whether any conditions or cautions should be attached.
- 5.8 Serco has the right to appeal to the Home Office against a local authority consultation decision. However, this right of appeal has to date not been utilised.
- 5.9 Both Serco and the Home Office have agreed with local authorities that a realistic target is five working days to respond to procurement consultations is 5 working days.
- 5.10 If a property passes the Postcode check, Serco will carry out a full survey, and will negotiate with the landlord/agent on the terms of the lease,). If the property reaches, or can be brought to, the Home Office prescribed standard, and terms can be agreed with the landlord such that the procurement meets Serco's test of feasibility, the property will enter Serco's pipeline, and will be brought into the asylum estate when its condition reaches the required standard.
- 5.11 All properties to be used to accommodate asylum seekers must meet the standard set out in the Home Office Statement of Requirements (SoR). This standard covers the physical condition of the property, as well as minimum requirements for fixtures, fittings, furniture and equipment. The statement of Requirements is publicly available via the undernoted link. It is understood that some prospective properties may fall below this standard, but that either Serco or the owner will undertake the work necessary to render them fully compliant. The Home Office compliance team monitors the asylum estate to ensure compliance with the SoR, whilst it remains in use for asylum dispersal.
- 5.12 Serco are responsible for housing management of the properties procured which covers: accommodation standards, contact management of clients, client safeguarding, links to Home Office caseworkers, supporting clients to access health and other services. Also there is a requirement to have a close working relationship with Local Authorities, Voluntary Sector, health and other agencies through a Strategic Migration Partnership
- 5.13 Additional support to asylum applicants is provided by Migrant Help (which covers asylum advice services including translation and outreach).
- 5.14 Postcode Check requests have begun to be received by Fylde Borough Council and will be processed through the Housing Team. In Fylde Serco are focussing on the private rented sector and do not have any intentions at present to use the social rented sector.

FURTHER INFORMATION AVAILABLE FROM

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