

FACTSHEET FOR ELECTED MEMBERS ON ISSUES RELATED TO PEOPLE SEEKING ASYLUM IN THE UK

	Who Responsible	Comment
Asylum Claim Registered	Home Office	<p>An individual/family wishing to claim asylum must register their claim at a 'screening' interview.</p> <p>This is a meeting with an immigration officer where details of the case are given, and reasons why person is seeking asylum are assessed by the Home Office.</p> <p>This screening can take place at the UK border if asylum is claimed on arrival.</p> <p>Screening can be done once in the UK but it has to be done at the asylum screening unit in Croydon, near London:-</p> <p>Lunar House 40 Wellesley Road Croydon CR9 2BY</p> <p>Telephone 020 8196 4524 for appointments</p>
Screening Interview	Home Office	
If person seeking asylum is classified as at risk of destitution, they can apply for asylum support under Section 95 of the Immigration Act.	Home Office and Migrant Help who are contracted to assist with asylum support applications	<p>Not everyone seeking asylum will request Section 95 support. Those with the resources and ability to support themselves are not entitled to asylum support under s95, and are expected to support themselves and their dependants, and may reside wherever they choose.</p> <p>Those who have no means of support, but can stay with friends or relatives may be given "subsistence only" support under s 95.</p> <p>Asylum seekers who claim for accommodation and financial support are accommodated on a short term basis in Initial Accommodation until their claim for support has been determined.</p> <p>The individual seeking asylum will receive an Aspen debit card, which the Home Office will credit with £37.75 per week for everything else. They are not allowed work, except in exceptional circumstances, and cannot claim benefits. This applies whether they are in initial or dispersed accommodation.</p>

		The process for those not applying for this support is not included as part of this information sheet.
If asylum support is refused – applicant may have the right to appeal	Home Office, UKVI, Migrant Help	Person seeking asylum may also have sought independent legal advice.
Initial Accommodation	Home Office/Serco	<p>For those who have applied for Section 95 support, the first stop is an “Initial Accommodation” Centre – closest one is in Liverpool. The time spent here can vary. People will be moved into “dispersed accommodation” if their claim for asylum support is successful</p> <p>Serco are required to cover the costs for housing, utilities and Council Tax – both in initial accommodation and dispersed accommodation (see below).</p> <p>Migrant Help have been contracted by the Home Office to provide support with asylum and asylum support applications. Whilst a person can contact them at any time through their national helpline – the only face to face contact is currently in initial accommodation, or where the asylum seeker is particularly vulnerable. Migrant Help have limited capacity for “outreach”. This will change with the recently awarded contracts but no one is sure what that will entail.</p> <p>https://www.migranthehelpuk.org/about-asylum-services</p> <ul style="list-style-type: none"> • 0808 8000 630 (for advice and guidance) • 0808 8000 631 (for asylum support applications)
Dispersed Accommodation	Serco/Private Landlords	<p>Dispersed accommodation is procured direct by Serco from private landlord, or social housing providers, usually based on a 5 year agreement at below market price (but landlord has guaranteed income for the term of the agreement, no void costs, and often, depending on the form of lease in use, no repair costs).</p> <p>The Local Authority is not involved in the process unless a House of Multiple Occupancy (HMO) License is required or there is a planning issue.</p> <p>Serco are required to cover the costs for housing, utilities and Council Tax. The physical standard the properties must reach, and the furniture and equipment that must be provided</p>

		<p>are set out in a “statement of requirements”, but this does not include things like a television or microwave for example.</p> <p>The Local Authority would become involved in issues related to community cohesion, anti-social behaviour, and safeguarding, as would the Police and wider Partners. There are also “grey” services which may be impacted such as bin collections.</p> <p>Asylum seekers accommodated under s95, are housed on a no-choice basis, and may be routed to anywhere in Great Britain. In some circumstances, Serco may require them to move to another property.</p>
Post Code Checks on Dispersed Accommodation	Local Authority and Police	<p>Serco will contact the local authority for a Post Code Check (PCC) on properties they are interested in procuring. These checks will include liaison with Cheshire Police, Health and Education colleagues.</p> <p>Cheshire Police will check the address, and locality for antisocial behaviour and criminal activity - currently this is done centrally and there is little local intelligence included as part of the process.</p> <p>The Local Authority can reject a PCC request, however there must be legitimate and reasonable cause to do so. Also Serco may appeal to the Home Office against a PCC refusal, and the Home Office can overrule the local authority’s decision, and instruct Serco to procure it anyway.</p> <p>Serco do not normally tell the LA which properties they eventually procure. They could submit 40 properties for a PCC – have 20 of them turned down – yet only procure 5 of the 20 that passed the PCC. They will eventually advise the local authority if they are not going to procure a property, but it may take a long time, before Serco decide not to proceed.</p>
Asylum Decision	Home Office	<p>People seeking asylum can wait anywhere from six months to several years for a decision from the Home Office.</p> <p>Asylum Support for people who receive a positive decision is discontinued after 28 days. At this point they cease to be asylum seekers and become refugees. They will no longer be able to remain in their Serco accommodation after the 28 days have elapsed. Newly granted refugees are classed as statutorily homeless, and if they fall into a priority category (eg they are vulnerable due to mental health issues, or have children under 18) they will be entitled to be</p>

		<p>accommodated by the local authority. Local connection is to the council in whose area they lived at the time of their asylum decision.</p> <p>There are a number of appeal stages asylum seekers can go through if they receive a negative decision. When they have gone through all of these stages, and still been refused they are known as “appeal rights exhaustor (ARE), and are expected to return to their countries of origin.</p> <p>During the appeal process, asylum seekers continue to be supported by the Home Office, and accommodated by Serco.</p> <p>Families who are ARE continue to receive support under s95 until they leave the UK. Single cases who are ARE may continue to receive support under s4, if they cannot be returned to their country of origin, or for 3 months, if they agree to co-operate with their return.</p> <p>More information is available from various refugee agencies:-</p> <p>https://www.asylumaid.org.uk/the-asylum-process-made-simple/</p> <p>https://www.refugeecouncil.org.uk/</p>
Following a Negative Decision	Home Office (UK Visas and Immigration - UKVI)/Serco	<p>Refused asylum seekers are expected to make arrangements for leaving the UK. They will have 21 days to vacate their dispersed accommodation.</p> <p>The Government does have a voluntary return scheme which provides support to those wishing to go home – if they meet the criteria.</p> <p>https://www.gov.uk/return-home-voluntarily/print</p> <p>If a person does not leave the UK after his or her claim has been refused, the Home Office may arrange an enforced return.</p>
Following a Positive Decision	Home Office (UKVI)/Serco/Local Authority	<p>If the claim is allowed either by the Home Office or at appeal, the applicant gets Refugee Status, which lasts for five years. The Home Office can review this grant of status during this time if there is good reason, such as if the circumstances in the country of origin have changed.</p>

		<p>After five years, if it is still unsafe for the person to return to their own country, they will be able to apply for a legal status known as Indefinite Leave to Remain (ILR) in the UK.</p> <p>If an asylum seeker fails to meet the requirement for refugee status, but does qualify for protection on human rights grounds, the applicant usually gets Humanitarian Protection. This status is also initially granted for five years and subject to review.</p> <p>If a person does not qualify for refugee status or Humanitarian protection, the Home Office may grant Discretionary Leave to Remain (DLR). People with DLR often have no recourse to public funds (See below).</p> <p>Following a positive decision asylum seekers have 28 days to leave their dispersed accommodation. There is a new protocol between local authorities and Serco which requires certain actions by each in relation to supporting the individual (or family) move on, this includes the Serco housing office making an appointment with the Housing Solutions Team, as in most cases the new Refugee(s) will be homeless and will have very little funds to furnish a new home.</p> <p>It is important to note that unlike the Syrian Resettlement Programme which is funded by the Home Office, there is very little additional monies to support people seeking asylum or those with a positive decision (thus making them refugees).</p>
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ADDITIONAL INFORMATION

<p>No Recourse to Public Funds (NRPF)</p>	<p>This is a condition imposed on someone due to their immigration status. Section 115 Immigration and Asylum Act 1999 states that a person will have ‘no recourse to public funds’ if they are ‘subject to immigration control’. “No Recourse to Public Funds” means they cannot access local authority housing or homelessness services, and are not entitled to means tested benefits.</p> <p>They may have the right to work depending on their immigration status and advice should always be sought. They may also qualify for support under social care legislation (eg Care Act and Children Act), if they meet certain criteria.</p> <p>There is a network of local authorities and partner organisations focusing on the statutory response to migrants with care needs who have no recourse to public funds (NRPF). The NRPF</p>
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Education	Local Authority	<p>Asylum seekers who are under the age of 18 are entitled to enrol in an educational establishment.</p> <p>Note: Unaccompanied Asylum Seeker Children (UASC) are not dealt with in this factsheet.</p>
Health Care	Local health providers	<p>GP and nurse consultations in primary care, treatment provided by a GP and other primary care services are free of charge to all, whether registering as an NHS patient, or as a temporary patient, which is when the patient is in the area for more than 24 hours and less than 3 months.</p> <p>For secondary care services, the UK’s healthcare system is a residence-based one, which means entitlement to free healthcare is based on living lawfully in the UK on a properly settled basis for the time being.</p> <p>The measure of residence that the UK uses to determine entitlement to free NHS healthcare is known as ‘ordinary residence’. This requires non-EEA nationals subject to immigration control to also have the immigration status of indefinite leave to remain.</p> <p>All asylum seekers and refugees are entitled to free primary and secondary health care. Failed/refused asylum seekers are entitled to primary care, and to any treatment that is immediately necessary, but will fall within the scope of NHS charging regulations.</p> <p>There are exceptions to this such maternity and emergency care services, or if the person seeking asylum comes under the Care Act or if a family with children. A full list of what is and isn’t chargeable can be found here:</p> <p>https://www.gov.uk/guidance/nhs-entitlements-migrant-health-guide</p>
OTHER ORGANISATIONS WHO OFFER SUPPORT		

Asylum Link Merseyside	Asylum Link is an organisation dedicated to assisting Asylum Seekers and Refugees in Merseyside and to raising public awareness around refugee issues. https://www.asylumlink.org.uk/
British Red Cross	Offer help with the urgent needs of refugees, asylum seekers and other vulnerable migrants. https://www.redcross.org.uk/get-help/get-help-as-a-refugee
Refugee Action	Help and advice for refugees and asylum seekers on issues including the asylum process and how to access support. Support and advice for refugees and asylum seekers struggling with the asylum process, poverty and homelessness. https://www.refugee-action.org.uk/our-services/
Refugee Women Connect	Refugee Women Connect, previously known as MRANG, is a women-only charity set up to support women asylum-seekers, refugees and survivors of trafficking. https://www.refugeewomenconnect.org.uk/
Local Contact – Halton Borough Council	There is a Lead Elected Member (Cllr Marie Wright) and Senior Officer in the Council (David Parr) who can be contacted for additional information.
Umbrella Halton	A local charity set up to help people from different ethnic backgrounds settle in Halton. seangradigh@gmail.com
A Better Tomorrow	A local charity set up to help people from different ethnic backgrounds settle in Halton abettertomorrow.halton@yahoo.com
Drop in Service for Asylum Seekers and Refugees	Developed and run by member of the voluntary, community and faith sector. Meets at Trinity Methodist URC Church, 138 Albert Road, Widnes, WA8 6LG. Every Monday 11:00 – 13:00

Asylum Seekers and Refugees Definitions

Refugee	Asylum Seeker	Failed/Refused Asylum Seeker
<p>1951 UN Convention says must have a “well-founded fear of being persecuted”</p> <ul style="list-style-type: none"> • Home Office accepts that the 1951 convention test is satisfied, and has granted refugee status • May have claimed asylum in the UK, or come via a resettlement scheme • Can work • Can be in any type of housing, and this includes access to social housing • Pays tax • Can access benefits • Can access healthcare • Can access Higher Education • Children are entitled to a school place 	<p>An Asylum Seeker is someone, present in the UK who has applied to become a refugee under the 1951 UN Convention, and who is waiting for the Home Office (or the Court) to determine their application</p> <ul style="list-style-type: none"> • Escapes from their home country because of danger • Has made an asylum claim (i.e. asked the Government for permission to stay in the UK as a refugee) • Is waiting for the Home Office to make a decision on their asylum claim • If they don’t have enough money to support themselves they will be provided with financial support • If they have nowhere to live they will be housed by Serco • Can’t work or claim benefits • Can access healthcare 	<p>Has applied for asylum, but their claim has not been granted</p> <ul style="list-style-type: none"> • Has no right to remain in the UK • Is expected to return to their home country • Can’t work or claim benefits • Has no right to housing/homelessness services • Can register with a GP and receive emergency health care • Children are entitled to a school place • In some cases, may receive limited support from the Home Office (Housing and money) • May be entitled to local authority support under Care Act 2014 or Children Act 1989.

- Children are entitled to a school place
- Allowed to stay in the UK until a decision is made on their asylum case.