



**HOME OFFICE
FULL EQUALITY IMPACT ASSESSMENT
TEMPLATE**

Directorate	Policy and Strategy Group
Unit	Asylum Policy
Date	13 June 2011

Name of Policy/Guidance/Operational activity
Other dependent relatives of refugees and those granted Humanitarian Protection in the UK

What are the aims, objectives & projected outcomes?
<p><i>Include, but do not limit to:</i></p> <ul style="list-style-type: none"> • <i>Details of the intended policy aims</i> • <i>Outline of the objectives</i> • <i>What outcomes it will achieve</i> <p>The aim of this policy is to introduce a route in the Immigration Rules for dependant relatives of refugees and beneficiaries of Humanitarian Protection not already covered by the Immigration Rules. At present, where a refugee or beneficiary of Humanitarian Protection has only limited leave to remain in the UK the Immigration Rules do not currently allow him or her to be joined by relatives who do not form part of the nuclear family but are nevertheless dependent (e.g. elderly parents, grandparents, aunts and uncles and children over the age of 18). The route will be closely aligned with the provisions contained in paragraphs 297 for dependent child relatives and 317 for other dependent relatives.</p> <p>Currently, the Secretary of State can use her discretion to consider applications from other dependent relatives of refugees outside of the Immigration Rules where there are “compelling and compassionate circumstances” involved. This provides insufficient clarity for applicants and decision makers and leads to a longer and less consistent application and decision-making process than necessary.</p> <p>The Secretary of State wishes to withdraw the provision for discretion in these applications and insert new provisions into Part 8 of the Immigration Rules to allow refugees with limited leave to remain to sponsor applications from dependent relatives abroad.</p>

The Government considers that the introduction of a category for this group in the Immigration Rules is a more transparent way of meeting its obligations towards them than admitting them outside the Immigration Rules. It makes the conditions that they must meet before being admitted clear, to the benefit of both prospective applicants and UKBA decision makers.

Throughout this document, all references to how the new policy/rule applies to those granted refugee status, includes those who are granted Humanitarian Protection in the UK.

1 SCOPE OF THE EIA *(see Module 5 of the EIA e-Learning)*

1.1 Scope of the EIA work

- *Ensure coverage of all equality strands and human rights*
- *Include any links to previous EIA or work delivered by another unit/Agency/Government Department. This may be particularly relevant where guidance is being produced that brings together several areas of policy.*
- *Identify beneficiaries/stakeholders.*
- *Include details of people involved doing the EIA*
- *Describe approach to data collection, stakeholder involvement, monitoring and review and publication*

This EIA considers the impact of this policy change on all the main protected characteristics, and the conclusions of this EIA are reflected in the full Impact Assessment.

The groups able to benefit from this policy are:

- refugees and those granted Humanitarian Protection on or after 30 August 2005, and who do not have Indefinite Leave to Remain; and
- their other dependent family members, who do not form part of the nuclear family.

A number of refugee organisations, legal representatives and practitioners will have an interest in this policy. They have been involved through a variety of forms including engagement, consultation and the provision of information. Issues and feedback in relation to equality strands from minutes, meeting notes and action plans (as well as any other sources), have been fed in to the EIA and analysed. Consultation and feedback from National Asylum Stakeholder Forum (NASF) meetings took place on 17 and 25 January 2011 and further consultation took place on 14 and 22 March 2011. A note was also sent to corporate partners on 27 May informing them of the Rules change.

The key protected characteristics to be considered within the context of this policy are race and gender. Existing data will be used to assess impact on the protected characteristics through published statistics and local management information. Any data gaps will be logged and recorded in the attached action plan for monitoring and review. Corporate partners will be consulted when the

policy is reviewed.

This EIA has been conducted by the Asylum Policy Team, with input from Legal Adviser's Branch, The Permanent Migration Policy Team, Charging Policy Team, International Group and The NAM+ Programme Team. All these teams are part of the UK Border Agency involved in policy development.

The EIA will be published alongside new guidance and will be monitored and reviewed on a regular basis.

1.2 Will there be a procurement exercise?

Consider whether there will be a **procurement** exercise, and once the EIA is completed:

- Ensure equality and diversity requirements are reflected into the procurement specification.
- Demonstrate how to monitor the successful inclusion of any equality and diversity requirements through delivery i.e. the specification must include something to be contained within the evaluations process and contractual monitoring

N/A

2 COLLECTING DATA (see Module 6)

2.1 What relevant quantitative and qualitative data do you have?

This may include national research, surveys or reports, or research done by colleagues in similar areas of work. Please list any evidence in the boxes below (complaints, satisfaction surveys, focus groups, questionnaires, meetings, email, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy/guidance/operational area.

	<p><i>Consider impact on people of different ethnic groups, nationalities, Gypsies, Travellers, languages etc</i></p>
Race	<p>Race or nationality will have no impact on an individual's eligibility to apply under the Rules.</p> <p>The policy change is likely to have greatest impact (and benefit) on those nationalities with high grant rates of asylum in the UK as they are most likely to want to bring in their dependent relatives from abroad. Asylum statistics in the year 2009 indicate that the top 5 countries where refugee status was likely to be granted included¹:</p> <ul style="list-style-type: none">• Zimbabwe

¹ www.homeoffice.gov.uk/rds.

	<ul style="list-style-type: none"> • Eritrea • Somalia • Iran • Afghanistan <p>The policy will not actively disadvantage other nationalities as other migrants who hold limited leave in another category will, to some extent, be able to sponsor their dependants to join them temporarily in the UK under other parts of the Immigration Rules.</p> <p>Even though those granted refugee leave or humanitarian protection hold limited leave in the UK, this can lead to settlement after the completion of a period of time (currently five years). Refugees, whether they have settlement or not, are unable to return home to live with their relatives abroad who continue to remain dependent on them. This rules change will allow them to sponsor their dependants to join them in the UK before they have acquired settlement.</p> <p>Information on the policy change will not be available in different languages on our website. This is in line with our current practice.</p>
Religion/ belief & non belief	<p><i>Consider impact on people with different religions or beliefs or none.</i></p> <p>Religion will have no impact on an individual's eligibility to apply under the new Rules.</p>
Disability	<p><i>Consider environmental, social and attitudinal barriers.</i></p> <p>Disability will have no impact on an individual's eligibility to apply under the Rules.</p> <p>The policy does require the sponsor to be able to maintain and accommodate the applicant without recourse to public funds. This policy therefore may indirectly discriminate against refugee sponsors with disabilities, who are likely to be in receipt of benefits in the UK, however this is the same requirement expected of others so is justified.</p>
Gender	<p><i>Consider impact on men and women; working arrangements e.g. part-time, shift working, caring responsibilities.</i></p> <p>Gender will have no impact on an individual's eligibility to apply under the Rules.</p> <p>According to local management information this policy is likely to impact on a greater number of female applicants who are more likely to apply to join their relatives based in the UK. Between 2010 -2011 69% of in country dependant relative applications were from female applicants and over a longer period (Jan 09 – April 2011), 61% of out of country dependent relative applications came from females.</p>

	<p>However, the policy change will bring overall positive benefits to all individuals regardless of gender who apply under the route as we will be introducing a clear route of entry for this category.</p> <p>The gender of those applying under the dependent relative route and expected to apply under this route is outside our control.</p>
Gender Identity	<p><i>Consider impact on transsexual and transgender people including bullying, harassment and discrimination issues not least ensuring privacy of data to avoid disclosure of gender history.</i></p> <p>Gender identity will have no impact on an individual's eligibility to apply under the Rules.</p>
Sexual Orientation	<p><i>Consider impact on bisexual, gay, heterosexual or lesbian.</i></p> <p>Sexual orientation will have no impact on an individual's eligibility to apply under the Rules.</p>
Pregnancy and maternity	<p>Pregnancy and maternity will have no impact on an individual's eligibility to apply under the Rules.</p>
Age	<p><i>Consider impact on people of different ages, e.g. young/old.</i></p> <p>Age will have an impact on an individual's eligibility to apply under the Rules. Adult and child applicants will need to meet different tests. For child relatives, there will need to be "serious and compelling family or other considerations which make exclusion of the child undesirable". This is in line with the requirement for child relatives of people present and settled in the UK under paragraph 297 of the Immigration Rules.</p> <p>For persons over the age of 18, there will be a distinction between parents and grandparents over the age of 65, who will not need to show that they are "living alone in the most compelling compassionate circumstances", and other eligible adult relatives, who will. Local management information suggests that applicants over the age of 65 form the minority of applications.</p> <p>We are therefore ensuring consistency across both routes and the immigration rules. There is no reason why the existing age requirements should be changed for the dependent relatives of refugees.</p>

<p>Welfare of Children [UKBA ONLY]</p>	<p><i>[This is a specific UKBA Duty. Other areas may consider this particular impact above.]</i> <i>Consider the impact on children and also the need to safeguard and promote welfare of children.</i></p> <p>Children under 18 who are not part of the nuclear family will only be admitted if there are “serious and compelling family or other considerations” that make their exclusion undesirable, and if suitable arrangements have been made for their care. These are the same rules that apply to the relatives of people present and settled in the UK.</p> <p>Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the UK Border Agency to carry out its existing functions in a way that takes into account the need to safeguard and promote the welfare of children in the UK. This has been taken into account during the development of this policy.</p>
<p>Socio-economic</p>	<p><i>Consider impact of strategic decisions e.g. high level priorities, funding etc on different social and economic groups. E.g. inequalities arising from social class, family background, where people were born, where they live, income, barriers to social mobility.</i></p> <p>The socio economic circumstance of an applicant and/or their sponsor will have an impact on an individual’s eligibility to apply under the Rules.</p> <p>Refugee sponsors will be required to show that they can maintain and accommodate their family member without further recourse to public funds. They will also be required to pay a fee for any application, although this will be set at a level which is below the cost of processing the application itself.</p> <p>The Survey of New Refugees notes that only 34% of refugee respondents were employed after 8 months of being granted refugee status in the UK. This is well below the UK national average of 80% overall employment recorded in 2009².</p> <p>Immigration Law Practitioners’ Association also made the following general comments regarding refugees in a letter to the UK Border Agency dated 31/01/11:</p> <p>“Refugees often spend long periods (sometimes many years) excluded from work and more generally marginalised by reason of their situation as asylum seekers</p>

² <http://rds.homeoffice.gov.uk/rds/pdfs10/horr37c.pdf>

	<p>before recognition as a refugee”</p> <p>Refugee sponsors’ socio economic circumstances may mean that they are unable to satisfy the maintenance and accommodation requirement without having recourse to further public funds. Requiring these applicants and their refugee sponsors to pay an application fee may also disadvantage this group as there is no requirement for the applicant to pay a fee under the previous / existing concession.</p> <p>However, we believe this policy to be justified on the basis that the Government is clear that it wants to reduce the overall burden on the tax payer. A requirement to demonstrate adequate maintenance and accommodation applies to most routes of entry for dependants; it is right that the sponsor is able to support both themselves and their dependants in the UK without relying on the state to provide public assistance.</p>
<p>Human Rights</p>	<p>The rules change could have an impact on Article 8 – right to respect for private and family life – of the European Convention on Human Rights (ECHR) if families are separated because the applicant and their refugee spouse are unable to pay the specified fee or meet the maintenance and accommodation requirements. However it is considered that creation of this route promote a positive step in helping to protect the family unit and therefore Article 8 rights.</p> <p>Any impact here is mitigated by the fact that UK Border Agency caseworkers are required to take Article 8 into account in making decisions.</p> <p>Discretionary leave may be granted outside the Immigration Rules on the basis of Article 8. Applicants will also have the opportunity to appeal to the Immigration and Asylum Chamber where applications have been refused.</p> <p>We are confident therefore that the policy does not contravene the ECHR.</p>

2.2 What are the overall trends/patterns in this data?

Consider:

- *Disproportionality;*
- *Regional variations;*
- *Different levels of access, needs or experiences;*
- *Combined impacts;*
- *Barriers to engagement.*

The policy is intended to benefit certain family members of those refugees who have limited leave in the UK. Consequently, applications under this route are most likely to come from nationals of those countries where we see higher grants of asylum in the UK. Internal and unverified management information indicates that the UK Border Agency is likely to receive around 640 applications a year (although we cannot rule out that this figure may be slightly higher as the route will be contained in the Rules as opposed to Guidance).

Based on reported lower employment rates for refugees, individuals in this group may find it harder than other migrants in non-protection categories or those who are settled or British Citizens to satisfy the requirements such as maintenance and accommodation and paying an application fee. However this is justified on the basis of reducing the burden on the UK taxpayer and that exemptions are already in place for the nuclear family members of refugees.

2.3 Please list the specific equality issues and data gaps that may need to be addressed through consultation and/or further research?

For example, you may need to ensure qualitative data groups include stakeholders with respect to this policy/guidance/activity.

NB. Include any recommendations in your action plan.

2.3 (Continued)

Possible data gaps are:

- The number of dependent relatives who may apply under this route;
- The gender, socio-economic, age, or other characteristics of those dependants who may apply under this route;
- The number of refugee sponsors who may not be able to meet the maintenance and accommodation requirement;
- The number of refugee sponsors/relatives who may not be able to pay the specified application fee.

The impacts of this policy will be carefully monitored and reviewed from implementation stage onwards.

3 INVOLVING AND CONSULTING STAKEHOLDERS

(see Module 7)

In this section, describe the data you have gathered through stakeholder involvement and engagement.

3.1 Internal consultation and involvement: e.g. with Other Government Departments, Staff (including support groups), Agencies & NDPBs

In planning, carrying out and recording internal consultation and involvement, you may wish to consider the following:

- *Does this initiative affect the experiences of staff? How? What are their concerns?*
- *How have you consulted, engaged and involved internal stakeholders in considering the impact of this proposal on other public policies and services?*
- *What forms of consultation, engagement and involvement have been most effective?*
- *What positive and adverse impacts were identified by your internal stakeholders?*

Discussions have been held between key areas in the UK Border Agency including the Asylum Policy Team, Home Office Legal Advisers Branch, International Group, NAM+ Programme Team and Immigration Policy.

Regular advice was sought from Legal Advisers Branch.

Internal consultees identified the following key benefits of the proposed policy:

- The dependent relatives of refugees will have a clear route of entry into the UK;
- Better regulation of the route;
- Applications can be decided more quickly as they are rules based enabling the applicant to join their family sooner;
- Family reunification will assist refugee integration.

The key adverse impacts identified are:

- Refugee relatives and their sponsors being unable to meet the maintenance and accommodation requirements in comparison to those who apply on other routes;
- Refugee relatives may be unable to pay a fee for consideration of their applications.

Feedback what you plan to do as a result of this internal consultation and use it as a basis for work on external consultation.

3.2 External consultation and involvement: strand specific organisations e.g. charities, local community groups, third sector

In planning, carrying out and recording external consultation and involvement, you may wish to consider the following:

- *How did you ensure that different external stakeholders and community groups had access to your public consultation process?*
- *Did consultation show that the proposal could present social or physical barriers to any communities or groups?*
- *What positive impacts were identified during consultation?*
- *Who have you engaged and involved in developing your proposals? When and how was this done? e.g. focus groups, panels, project board etc*
- *What opportunities for positive impact were identified during this engagement? E.g. opportunities to eliminate unlawful discrimination, promote equal opportunity and good community relations.*
- *What concerns were identified during this engagement exercise? Describe potential impact, mitigating existing disproportionality etc*

We did not run a formal public consultation on this specific issue as we considered this policy to be generally beneficial to the individuals it will impact on as it provides a clear, transparent route of entry for them.

But we did consult targeted external partners on the policy change, including the National Asylum Stakeholder Forum and its sub-groups. We have borne their views in mind when developing this policy change. The Immigration Law Practitioners' Association made the following comments about the policy in a letter sent by email on 31/01/11:

"It is our understanding that the UK Border Agency is considering whether to maintain the policy in respect of other dependent family members, and if not whether to simply discontinue the current policy or to introduce into the Rules provision for such family members. ...

.....Whether the Secretary of State chooses to simply leave such matters to her general discretion or to maintain a policy (which should be in the public domain – whether in the Immigration Rules or otherwise available on the UK Border Agency website), entry clearance officers will surely receive such applications. Given the paucity of guidance available to entry clearance officers, and decision-making, in relation to Article 8, it is ILPA's firm position that the Secretary of State should maintain a policy concerning such matters. Given her current policy relates to circumstances described as compelling and compassionate, and (as highlighted above) relates to sponsors who cannot safely return to their countries of origin and who are therefore likely unable to maintain an effective family life elsewhere but in the UK, it is difficult to see how that could be effectively and unlawfully made any more limited; and ILPA would certainly oppose any attempt to limit it further"

Whilst we have noted ILPA's request to retain some kind of discretion in this area, it is considered that the existence of separate routes of entry, with subtly different tests, has led to confusion and legal challenges which we wish to avoid in the future. There is no guidance as to how the discretion in the guidance should be used (or if there was how this could be specific enough to be helpful), how an applicant should apply in this category or whether a fee is payable. This has led to differences in practice between various Entry Clearance posts and

has previously been criticised by corporate partners- particularly the Scottish Refugee Council in a report published last year. Placing these requirements in the Rules will make things clearer for those seeking to apply under the route.

It therefore seems better to retain some provision to admit those concerned in exceptional circumstances, while removing the current confusion around the conditions and processes that they need to comply with. This is best achieved through specifying the requirements in the Immigration Rules. There will of course remain a general power for the Secretary of State to depart from the Immigration Rules where appropriate.

The key potentially adverse impacts identified by external stakeholders are:

- Refugee dependent relatives and their sponsors being unable to meet the maintenance and accommodation requirements;
- Refugee dependent relatives being unable to pay the specified fee.

Feedback what you plan to do as a result of the engagement to all participants including internal and external stakeholders.

4 ASSESSING IMPACT (see Module 8)

In this section please record your assessment and analysis of the evidence. This is a key element of the EIA process as it explains how you reached your conclusions, decided on priorities, identified actions and any necessary mitigation.

4.1 Assessment of the impact

In assessing and analysing impact of your proposals consider the following:

- *Does the result of this EIA work show a potential for differential impact? If yes, state whether impact is adverse or positive and in what equality areas.*
- *Do the proposals have the potential to cause unlawful discrimination? E.g. could the proposals exclude certain groups of people from obtaining services or limit their participation in any aspect of public life?*
- *How will you mitigate any negative impacts this proposal may have?*
- *How does the proposal promote equality of opportunity?*
- *How does the proposal promote good community relations?*
- *In the light of consultation and data gathering, what changes will you make to the policy?*
- *Are there any concerns from consultation and data gathering that have not been taken on board? (Please justify and explain the reason for your decision.)*

The policy is intended to have an overall positive impact on the dependent relatives of refugees and beneficiaries of Humanitarian Protection who have limited leave in the UK. Family members who are eligible to apply under this route will include elderly parents, and other dependents aged 18 or over including children, uncles, aunts and nieces and nephews. By withdrawing the existing concession contained in the Entry Clearance guidance (which we believe is currently applied inconsistently) and introducing a clear route for these individuals into the immigration rules, refugees with limited leave will, where the conditions of the Rules are met, be permitted to bring their dependent relatives into the UK. This will promote equality of opportunity for this group. Providing a clear route for these family members to come to the UK will also improve the integration of refugees.

These amendments have been designed to mirror the existing other dependent relative rules (i.e. paragraphs 297 and 317) as far as they can be applied to a refugee who is in the UK.

Under the new rule we are creating there will however be no requirement for the refugee to be present and settled in the UK. This is because those recognised as being refugees or in need of Humanitarian Protection in the UK are granted five years limited leave i.e. they will not be immediately 'present and settled' in the UK. This means that the dependent relatives of refugees will not be granted Indefinite Leave to Enter as is currently the case under paragraph 317, but an initial entry clearance of five years in duration. This is because we cannot justify granting the refugee relatives settlement when their refugee sponsor does not have settlement themselves.

It will be possible, however for the dependent relative of the refugee to apply for Indefinite Leave to Remain (settlement) in the UK as soon as their refugee sponsor acquires this. We consider this will minimise any differential treatment in the types of leave granted to the dependent relatives of refugees compared with the other dependent relatives of those who are present and settled in the UK.

Whilst this rules change does not unlawfully discriminate against the individuals it affects, the requirement to demonstrate maintenance and accommodation may result in fewer successful applications from those to whom this rule applies in comparison to sponsors who are settled in the UK or hold British Citizenship. This may be due to the individual socio-economic circumstances of refugee sponsors living in the UK. We have mitigated but not removed this risk by not charging for applications at over cost recovery.

We also assess associated impacts such as possible difficulties in paying the application fee or meeting maintenance and accommodation requirements to be minimal, given the low numbers expected to apply on the route. The requirement for maintenance and accommodation and the requirement to pay an application fee can be justified in order to ensure the overall burden to the UK taxpayer is kept to a minimum.

We will monitor and review the policy after it is implemented. The data gaps identified will be monitored and where possible data will be collected to assess the actual impacts of the change. In the absence of quantitative data, qualitative data provided by applicants/refugee organisations will be evaluated and reviewed in close consultation with corporate partners.

Now complete the report and Action Plan.

5 REPORT, ACTION PLANNING AND SIGN OFF *(see Module 9)*

5.1 EIA Report

The EIA Report is a concise summary of the results of the full EIA. A template is provided at Annex A.

5.2 Sign-off

Now submit your EIA and related evidence for clearance

Date of completion of EIA	3 June 2011
Compiled by	Asha Kiberu
SCS sign-off	Emma Churchill
<i>I have read the Equality Impact Assessment and I am satisfied that all available evidence has been accurately assessed for its impact on equality strands. Mitigations, where appropriate, have been identified and actioned accordingly.</i>	
Date of publication of EIA Report	13 June 2011
Review date	13 June 2012

5.2 Publication and Review *(see Module 10)*

Ensure that the EIA Report including the Action Plan are published alongside your policy/guidance/operational activity.

IMPORTANT - Review, revise and update annually!

Annex A - Template for Equality Impact Assessment Report

TITLE

- *E.g. Consolidation of South East Estate Equality Impact Assessment Report - January 2010*

Creating a route for other dependent relatives of refugees and beneficiaries of Humanitarian Protection— July 2011

BACKGROUND

- *Context and aims of policy/guidance/project/proposal*
- *Link to strategic aims and objectives*

From 30 August 2005 refugees and beneficiaries of Humanitarian Protection were granted 5 years limited leave in the UK. A consequence of this is that refugees are unable to sponsor their other dependent relatives to join them in the UK i.e. any application would be bound to fail under the existing other dependant relatives rules (i.e. paragraph 317) which requires the sponsor to be “present and settled” in the UK

The only avenue available for them is to make an application (under a concession contained in published guidance for the dependent relatives of refugees. The Secretary of State is currently able to apply discretion in these cases and grant applications outside of the Immigration Rules if there are exceptional and compelling circumstances. Due tot the lack of clear guidance we believe that this concession may be inconsistently applied. The use of a concession may also lengthen the overall decision-making process as these applications have to be referred to the UK for consideration.

By creating a new route for the other dependent relatives of refugees in the Immigration Rules we will ensure that we can maintain effective control over those who come to the UK whilst at the same time providing greater clarity for prospective applicants. It will be clearer which conditions they will need to meet before being eligible for admission to the UK, therefore creating a more system than a policy based on discretionary grants of leave outside of the Immigration Rules.

This policy change contributes to Coalition priority 4:

Secure our borders and reduce immigration

- Control net migration to sustainable levels, in the tens of thousands a year. Limit non-EU economic migrants, and introduce new measures to reduce inflow and minimise abuse of all migration routes, for example the student route. Process asylum applications more quickly, and end the detention of children for immigration purposes.

SCOPING THE EIA

- *Scope of the EIA work (e.g. if linked to previous EIA or work delivered by another Government Department)*
- *Identification of beneficiaries/stakeholders*
- *Approach to data collection, stakeholder involvement, monitoring/review and publication*

Issues and feedback in relation to equality strands from internal consultation, discussion with external partners, minutes, meeting notes and action plans have been fed in to the assessment and analysed.

COLLECTING DATA

- *Quantitative and qualitative data*
- *Approach to data collection and analysis*
- *Results of consideration of existing evidence*

This EIA has been conducted using internal consultation, Home Office research which is available on the RDS website and local management information. Corporate partners have also fed their views into the policy change through informal consultation.

INVOLVING AND CONSULTING STAKEHOLDERS

- *Which stakeholder/communities were involved in developing proposals*
- *What methods were used and why*
- *Summary of consultation and involvement with stakeholders*
- *Identification of different needs of each of the equality targets groups*

Corporate partners have been involved through a variety of forms including engagement, informal consultation and information. The policy has been discussed at a meeting with seven representatives from organisations which are concerned with the welfare of refugees and migrants on 17 January 2011 to gain views on the intended details of the policy, and then again at the National Asylum Stakeholder Forum on 25 January 2011. More information was provided to corporate partners on 14 and 22 March 2011. A note was also sent to corporate partners on 27 May informing them of the Rules change.

Regular advice was sought from the Home Office's Legal Advisers Branch.

ASSESSING IMPACT

- *Key findings from the data collection and community engagement*
- *Positive impacts: existing or potential*
- *Adverse impacts: existing or potential*

- *Recommendations: Describe how you will respond to the key findings by:*
 - *strengthening the potential for positive impact*
 - *removing areas that may exacerbate or engender adverse impact*
 - *including measures to mitigate any adverse impact that may occur*
 - *including measures that ensure ongoing compliance with statutory obligations*
 - *monitoring and review arrangements (e.g. will there be a pilot? ongoing monitoring including surveys, further consultation)*
 - *ensuring continued public access to information about the policy/programme.*
 - *action plan & timetable for next review*

Assessment of impacts on equality

The policy change affects the other dependent relatives of those granted refugee status and Humanitarian Protection after 30 August 2005 who would have been granted 5 years limited leave in the UK. The make up of the group affected by this policy change is predetermined by the countries with the highest asylum intake in the UK.

The other dependent relatives of refugees and beneficiaries of Humanitarian Protection will be required to satisfy most of the same requirements as the other dependent relatives of those who are 'present and settled' in the UK or who hold British Citizenship, but without the need for their sponsor to be present and settled in the UK. Whilst this rules change does not unlawfully discriminate against the individuals affected, maintenance and accommodation requirements may see less successful applications from this group. This may be due to individual socio-economic circumstances of refugee sponsors living in the UK.

Positive impacts

- The other dependent relatives of refugees will have a clear route of entry into the UK;
- Applications can be decided more quickly enabling the applicant to join their family sooner (currently they are being referred to the UK for consideration);
- Family reunification will assist refugee integration.

Adverse impacts

- Refugee dependant relatives and their sponsors may be unable to meet the maintenance and accommodation requirements;
- Dependant relatives being may be unable to pay the specified fee.

Monitoring arrangements

Data on the following items will be collected by IG PMAF (Performance Management, Analysis and Forecasting):

- The number of refugee dependent relatives who apply on this route;
- The number of dependent relatives and their refugee sponsors being unable to meet the maintenance and accommodation requirement.

Qualitative/anecdotal evidence of the route will be monitored by International Group in the following areas:

- Refugee applicants being unable to pay the specified application fee.

ACTION PLAN

- *Attach Action Plan as appropriate – example at Annex B*

ANNEX B - Example Action Plan for use with Home Office Equality Impact Assessments

TITLE *Refugee Other Dependant Relatives Equality Impact Assessment Report*

ACTION / ACTIVITY	OWNER AND INTERESTED STAKEHOLDERS	DEPENDENCIES / RISKS / CONSTRAINTS	COMPLETION DATE	PROGRESS UPDATE
<p><i>This should be a list of recommendations identified in the EIA report.</i></p> <p><i>A short description of the issue being taken forward.</i></p>	<ul style="list-style-type: none"> ○ <i>Unit/Department/organisation</i> ○ <i>Internal & External Stakeholders</i> ○ <i>How will you ensure your stakeholders continue to be involved/ engaged in shaping the development/ delivery of this policy?</i> 	<p><i>There may be other projects/initiatives that will deliver the action so make reference to these.</i></p>	<p><i>The date by which the action is to be completed.</i></p>	<p><i>Progress to date. Any slippages. New stakeholders etc Give RAG rating if appropriate. Details of monitoring and review methods.</i></p>
Data Collection	International Group (PMAF)		From July 2011 onwards	From management information
Monitoring and review arrangements	International Group		Monthly from July 2011	From management information
Review of policy and Equality Impact Assessment a year after implementation	Asylum Policy International Group		July 2012	Through collation of information gathered from all activities
External communications	Asylum policy International Group		From June/July 2011 onwards	NASF meetings NASF subgroup meetings