



Home Office

Funding to local authorities Financial year 2016/17

Home Office funding:

Unaccompanied asylum seeking children (UASC)

UK Visas and Immigration
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1. Scope

This document sets out the terms under which the Home Office will make funding available to local authorities in respect to their costs of supporting Unaccompanied Asylum Seeking Children (UASC) during the financial year 1 April 2016 to 31 March 2017. The document should be read in conjunction with the UASC LA funding Excel workbook, which contains the relevant forms (Annexes A & B) and notes for their completion, and with the National UASC Transfer Protocol.

2. Definition

2.1 A UASC is defined as an individual who is under 18, has arrived in the UK without a responsible adult, is not being cared for by an adult who by law or custom has responsibility to do so, is separated from both parents and has applied for asylum in the United Kingdom in his/her own right. All children in local authority care and being accommodated by the local authority who satisfy these criteria may be included in an application for funding unless they fall into one or more of the exclusion categories listed below. For the purposes of this funding agreement the definition of a UASC does not include someone who was admitted to the UK on any other grounds that provides the LA with a basis on which funding may be claimed from the Home Office.

3. Exclusions

3.1 The following children are excluded:

- (a) Children who have the nationality of an EEA State – including those who have been granted British Citizenship.
- (b) Children who marry or form a civil partnership
- (d) Children of a UASC.

4. Reimbursement 2016/17

4.1 The payment rate will change for new arrivals after 1st July 2016.

Subject to paragraph 4.2, payment for each eligible UASC will be at the rates set out in the table below. A “legacy” case is a UASC who entered the UK on or before 30 June 2016 and who has not been transferred to the care of another local authority from local authorities accepted by the Home Office as being significantly above the 0.07% ceiling as at 1 July 2016. The Central Admin Team should be contacted to confirm whether a transferring local authority is accepted as being significantly above the 0.07% ceiling as at 1 July:

| Category | £ daily |
|---|---------|
| Legacy UASC Under 16 | £95.00 |
| Legacy UASC 16/17 | £71.00 |
| National Rate UASC Under 16 (UK arrivals from 1 July 2016) | £114.00 |
| National Rate UASC 16/17 (UK arrivals from 1 July 2016) | £91.00 |
| Kent Referrals UASC Under 16 (UK arrivals up to 30 June 2016) | £114.00 |
| Kent Referrals UASC16/17 (UK arrivals up to 30 June 2016) | £91.00 |

4.2 If a local authority’s actual expenditure (for all eligible UASC supported) is less than a sum calculated by applying the standard rates, payments will be capped at the level of actual expenditure.

4.3 The Home Office should be notified at the earliest opportunity if the local authority expects its actual expenditure to be lower than would be allowed under the standard rates in order to avoid overpayments.

5. Cessation of payment

5.1 The Home Office will automatically cease payments under this Funding Instruction the day before the UASC turns 18.

5.2 Payment will also cease in the following circumstances:

- a) UASC funding is not payable when a child is absent or in long term care (e.g. missing / hospital) for more than 28 days consecutively. When a child is absent or in long term care, the local authority must promptly inform the relevant contact(s) and reflect this on the application for payment form (Annex A). If the child returns to the local authority the Annex A should be updated. When the child is absent for a short period of time, that is for 28 days or less, the funding may be payable during the absence period.

- (b) If the UASC is placed in a Young Offenders Institute, the local authority must promptly inform the relevant contact(s) and reflect this on the application for payment form (Annex A). If the child returns to the local authority the Annex A should be updated. When the child is in a YOI for a short period of time, that is for 28 days or less, the funding may be payable during the absence period.

6. Transfers and notifications

- 6.1 Where responsibility for a UASC is transferred between local authorities under the National UASC Transfer Protocol, funding eligibility passes from the entry local authority to the receiving local authority from the day the UASC physically transfers into the care of the receiving authority. The costs of the transfer will, unless mutually agreed between the authorities, and evidenced to the Home Office, be treated as borne by the receiving local authority.
- 6.2 To support fair allocation of UASC under the National UASC Transfer Protocol from 1st July 2016, the Home Office is developing a National UASC Database which will be administered by the UASC Central Administration Team. From 1st July 2016, local authorities are expected to notify the Home Office of each relevant change in their supported UASC population by sending the relevant Unique Unaccompanied Child Record proforma to the Central Administration team as set out in the Transfer Protocol. It is envisaged that the database will also enable funding applications to be reconciled more swiftly

7. Data reconciliation and payments

- 7.1 Local authorities are required to complete a **monthly application, by the 15th of each month**, for payment in the form set out in Annex A, which includes up to date accurate details of each supported child and the support days applied for.
- 7.2 Specific instructions for the completion of Annex A are included in the UASC LA funding Excel workbook. The Annex A should only be submitted to the UASC LA Funding team via the Home Office's secure data transfer portal, "MoveIT DMZ" to ensure compliance with 1998 Data Protection Legislation.
- 7.3 The local authority should ensure that all asylum claims from children are registered within twelve weeks of entering local authority care. Where there is a gap of more than twelve weeks between the dates on which a local authority claims to be looking after a child and the date on which the child registers his/her asylum claim, the local authority must provide evidence:
- of the steps it has taken to register the child's asylum application, and
 - how it has been supporting the child since the relevant start date.

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- 7.4 The April 2016 Annex A application for payment shall be a new submission, and not simply a continuation of the last monthly submission in the 2015/16 financial year. Subsequent Annex As must clearly highlight any additions and updates to the previous month's application. The UASC LA Funding team will reconcile this data every month against Home Office records.
- 7.5 The monthly Annex A for payment must be received by the Home Office by **no later than the 15th of the month following the month to which the application relates**; late returns will result in payment being delayed. The submission must contain the data for the latest period, e.g. data received on 15 March must contain February data. Payments will be withheld if Annex A applications for payment are not submitted on a monthly basis.
- 7.6 Each month, once the information on the Annex A has been reconciled, local authorities will be advised of the individuals that will be paid for and the number of days. In some cases it will be necessary to seek further information from local authorities. Where this happens local authorities will be notified that these cases are 'under review' until it has been clarified that the claim made is eligible for funding under the terms of this Funding Instruction. Payments will reflect the number of children agreed for support for the relevant period, with adjustments made at a later stage for those cases which are 'under review', if the further information submitted shows that the individuals are, in fact, eligible. Any evidence to resolve anomalies, including 'Not Valid' forms and 'Merton-compliant' age assessments, must be forwarded by local authorities to the UASC LA Funding team within two weeks of that month's payment being received. Failure to return 'Not Valid' forms within this timescale will result in future payments being delayed. The UASC LA Funding team will aim to conclude all under review cases within 60 days.
- 7.7 A maximum of 28 days' funding will be payable (i.e. from the start of care) where a prompt Merton-compliant age assessment is conducted and the person claiming to be a child is found to be over the age of 18.
- 7.8 Local authorities are required to complete an 'Age Assessment Information Sharing Proforma' for confirmation of all age assessments. As a minimum requirement local authorities must provide the information that is on the model information sharing proforma (which is on the ADCS website - [ADCS Link](#)). This sets out the minimum information required to inform the Home Office of the outcome of the age assessment and to ensure that it is Merton and subsequent case law compliant. Funding payments can not be made by the Home Office to local authorities until the age assessment has been completed and the required information has been received
- 7.9 Local authorities will have the opportunity to make representations if they believe that they have not received the funding to which they are entitled to under the terms of this Funding Instruction. Any discrepancies regarding the amounts paid must be notified by the relevant local authority to the UASC LA Funding team within a month of the Annex A response being sent, following reconciliation against Home Office records. Back payments for individuals not promptly included on Annex A will only be agreed where exceptional circumstances are shown.

- 7.10 Payments will be made by BACS using the account details already held by the Home Office for payments in previous years. If the local authority's bank details change, it must immediately email the new information to:
UASCLAFundingTeam@homeoffice.gsi.gov.uk.
- 7.11 Payments will be referenced 'UASC Asylum 16/17 POA Mth' followed by the month number in the financial year. For example, the payment made for the period 1st April – 31st December will be referenced as UASC Asylum 16/17 POA Mth 9. Local authorities should advise their Cashiers' department accordingly.
- 7.12 At the end of the financial year, final checks will be carried out to ensure that the payments already made accurately reflect the number of agreed support days. Payments made as a result of monthly applications are to be regarded as payments on account, which will be finalised when the final claim (which shall be in the form set out in Annex B) is confirmed by the Home Office. The final claim forms (Annex B) and specific instructions for its completion are included in the UASC LA funding Excel workbooks for each of the three types of funding i.e. UASC (Legacy), National Rate and Kent Referrals. An electronically signed Excel version of the final claim, together with an unsigned Excel spreadsheet (this is because some scanned copies cannot be filed) must be returned before **15th July 2017** by email to:
UASCLAFundingTeam@homeoffice.gsi.gov.uk
No paper copy is necessary.

8. Audits

- 8.1 Local authorities should record expenditure in their accounting records under generally accepted accounting standards in a way that the relevant costs can be simply extracted if required. Throughout the year, the UASC LA Funding team will work with local authorities to ensure the accuracy of claims, thereby reducing the need for audits at year-end.
- 8.2 Visits may be made from time to time by the Home Office or its appointed representatives, including National Audit Office. Whilst there is no requirement for submission of detailed costings, Local authorities must be able to provide the costs for individual cases, if required, and will be expected to justify and explain costs, where necessary.

9. Contact details

- 9.1 For queries relating to this Funding Instruction or the submission of Annex A payment applications please email your UASC LA Funding team contact. If your query relates to the Annex B please email: UASCLAFundingTeam@homeoffice.gsi.gov.uk

10. 2016/2017 timetable

- 10.1 For the 2016/2017 financial year the following timetable will apply:

| Period | Annex A Submission Deadline | Payment Received by LA |
|----------------|-----------------------------|------------------------|
| April 2016 | 15 May 2016 | 30 June 2016 |
| May 2016 | 15 June 2016 | 31 July 2016 |
| June 2016 | 15 July 2016 | 31 August 2016 |
| July 2016 | 15 August 2016 | 30 September 2016 |
| August 2016 | 15 September 2016 | 31 October 2016 |
| September 2016 | 15 October 2016 | 30 November 2016 |
| October 2016 | 15 November 2016 | 31 December 2016 |
| November 2016 | 15 December 2016 | 31 January 2017 |
| December 2016 | 15 January 2017 | 28 February 2017 |
| January 2017 | 15 February 2017 | 31 March 2017 |
| February 2017 | 15 March 2017 | 30 April 2017 |
| March 2017 | 15 April 2017 | 31 July 2017* |

*To allow for final claim to be submitted.

Annexes

The annexes to these instructions are contained in the UASC LA funding Excel workbook with the following contents:

- Notes – Annex A
- Annex A (Monthly Claim)
- Notes – Annex B (Final Claim)
- Annex B (Final Claim)
- Notes – Not Valid form
- Not Valid form
- Classifications