



Home Office

Home Secretary

2 Marsham Street
London SW1P 4DF
www.gov.uk/home-office

Chairs of the Committees on Home Affairs,
Department for Levelling Up, Housing and Communities,
and the Department for Work and Pensions
House of Commons
London
SW1A 0AA

2 June 2023

Dear Dame Diana Johnson MP, Clive Betts MP and Rt Hon Sir Stephen Timms MP

Thank you for your letter dated 28 March, on the Streamlined Asylum Process we have put in place to tackle some of the backlog of asylum claims from the countries with the highest grant rates.

The Home Office (HO) is committed to tackling legacy cases so that asylum seekers receive a timely decision. This is essential to allow individuals, where protection status is granted, to exit the asylum system and start fully contributing to the UK. In the case of those that no longer have a legal basis to remain in the UK, it is equally important for the removal process to commence. The HO has therefore put measures in place to improve productivity, increase output volumes and the speed of decision-making so that people spend less time in costly contingency asylum accommodation.

We acknowledge the challenges that some local areas will face if large numbers of asylum cases are served with decisions over a relatively short period. In general, HO officials are working closely with local authorities and sharing data through regional Strategic Migration Partnerships (SMP). There is however, some unpredictability in the timing of decisions as they depend on asylum claimants returning questionnaires.

I have addressed each of your questions in turn below.

Streamlined Asylum Process (SAP) and Legacy backlog clearance

1) What is your department's planned approach to serving asylum questionnaires and final decisions to legacy asylum claimants, and how will this be communicated to councils including:

a) Timelines for the new approach

Claimants who are eligible under the SAP are asylum-seeking adults from Afghanistan, Eritrea, Libya, Syria and Yemen who claimed asylum before 28 June 2022. All questionnaires have now been sent to claimants who fall under the new process. Substantive decision-making through SAP has begun and some decisions have already been served. All initial asylum decisions under SAP are expected to be made by Autumn 2023.

We are now commencing a new phase in the programme to clear the asylum legacy backlog (claims pre 28 June 2022), which involves grouping the remaining outstanding legacy claims together into cohorts. These will be based on factors such as volume of cases (intake), grant rate, compliance rate and asylum accommodation / support rate. We will utilise a mixed approach to gather information from claimants in different cohorts, in the quickest and most appropriate way possible. Claimants will either be called for a substantive interview or be sent a questionnaire and called for a focussed or shorter interview. We issued letters to our Strategic Migration Partnerships (SMPs), NGOs (members of our Strategic Engagement Group) and Legal Aid Agency on 15 May 2023 to provide an update on this initiative.

As part of this approach, the first cohorts we will prioritise are legacy claimants from Iran and Iraq, as these are the highest nationality cohorts with outstanding claims. Iranian and Iraqi legacy claimants who have not yet been substantively interviewed will begin receiving questionnaires which will be tailored to their circumstances over the next few weeks; this will help us gather further evidence on their asylum claim, helping to reduce the duration of any subsequent interviews. We will not refuse protection status on the basis of the responses to the questionnaire alone, the purpose is simply to speed up the time it takes to make a decision.

All initial asylum decisions in the legacy backlog are expected to be made by December 2023 in line with the Prime Minister's pledge.

b) Details of how you will ensure councils are well-informed

We are working with our partners, including local authorities, to provide timely notification of key events that impact them. We are working with our SMP to facilitate regional sessions with councils and to share data including heatmaps with the spread of asylum cases across the UK containing detailed breakdowns of users and information to help LAs prepare for the decisions being served across their areas.

We are also utilising existing HO/LA engagement forums, including the Asylum Resettlement Councils Senior Engagement Group (formerly known as HO Local

Government Chief Executive group) to meet regularly with LA Chief Executives. These forums facilitate open discussions on the impact of serving decisions, as well as other topical concerns and issues.

c) Plans for effective two-way engagement with councils on the streamlined asylum process, including engagement with Minister(s) and council leadership given the potential impacts on councils.

We will continue to engage and develop relationships with our asylum accommodation service providers and LAs to ensure collaboration in supporting vulnerable asylum seekers. For matters in relation to individuals, addresses or wards, we encourage LAs to approach SMPs and HO Service Delivery managers at the weekly meetings.

d) Whether there will be priority groups, for example unaccompanied asylum-seeking children, and if so, how their wellbeing and safeguarding will be considered.

The Children's SAP came into effect in April 2023. Legacy claims from children that are nationals of Afghanistan, Eritrea, Sudan, Syria and Vietnam will be considered through SAP. All children seeking asylum from these nationalities will be invited to a Preliminary Interview Meeting (PIM), where a short interview will be conducted to assess their claim for asylum and where a positive decision may be taken on their claim without the need for a substantive interview.

During the PIM, we aim to ensure that vulnerable claimants are identified and that difficulties they may face in disclosing their experiences are given due consideration when assessing their asylum claim. We will ensure that they are provided help in accessing appropriate services.

e) Whether decisions will only be served to people in dispersal accommodation and not hotels.

We had previously served decisions to those in dispersed accommodation only. We have now revised this to enable us to address the backlog effectively and serve decisions across all accommodation types. Where decisions are ready to serve, any delay in relaying the decision because the individual is not in dispersed accommodation is generally not in the claimant's best interests and could result in a legal challenge. It therefore remains imperative that decisions are served expeditiously, where possible.

f) How the spaces created in dispersal accommodation will be used; councils will be eager for people to be moved out of hotels into these.

Where dispersed accommodation bedspaces are freed up, we are working with our accommodation service providers to ensure these are reoccupied as quickly as possible

to reduce the number of asylum seekers accommodated in hotels. Service providers have processes in place to ensure this is occurring with regular reuse of bedspaces as a priority before any contingency bedspaces are used or allocated.

g) Details of how your department expects to assess and mitigate the potential risks of increased destitution, homelessness and unfunded 'no recourse to public funds' support consequent to negative asylum decisions.

We have taken a considered and phased approach to the resumption of cessation of asylum support which will reduce demand on the asylum system. This is being balanced with prioritising the welfare of those within the asylum system. We continue close collaborative working with LAs to ensure that those entitled to support have appropriate access. Those who are refused asylum and become appeal rights exhausted (ARE) have no legal basis for support from the HO, unless they have children or are eligible for support under Section 4 of the Immigration & Asylum Act 1999.

For those who are no longer entitled to support, advice and guidance is provided at every stage. Individuals who have no basis to remain in the UK are actively offered assistance through Home Office Voluntary Return Service. The HO continues to provide accommodation and support to those who are temporarily unable to leave the UK because of a practical or legal obstacles through the Section 4 provisions.

h) How data flow will be managed including: i. communication of expected numbers to be granted leave to remain, ii. whether aggregate data at devolved administration/regional and local authority level will be available to enable councils to collectively identify and manage the risks of the potential movement of people post decision to areas given housing challenges and community cohesion impacts.

Central to our plans to collaborate and work with LAs across this streamlined asylum processing is sharing regular, timely and relevant data and Management Information to allow effective planning and the geographical distribution of asylum seekers in the UK.

Currently we share listings of the detailed asylum and resettlement data sets which can be found through the following link: [Asylum and resettlement datasets - GOV.UK \(www.gov.uk\)https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets](https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets). We continue to build on these products and following feedback from LAs, have increased the breadth of information contained to include further details including accommodation type and demographics. We will continue to refine and improve the quality of shared data with LA feedback.

As set out above, we will be sharing heatmaps with the spread of asylum cases across the UK containing detailed breakdowns of users and information to help LAs prepare for the decisions being served across their areas.

Notification Risk Mitigation

2) Given the likelihood of increased volumes of asylum decisions consequent to this new streamlined approach and the need for councils to plan and manage risks, can you commit to providing local authorities with a week's notice of these notifications?

We have an established cessation notification process where providers refer details of individuals who have been issued with a decision to LAs as part of the statutory homelessness prevention measure. This provides the LA with early notification of the likely subsequent requests from failed asylum seekers. We are working with accommodation providers to ensure that this is applied consistently and in a timely manner across all LA areas.

Failed asylum seekers are given either 21- or 28-days' notice from the point of receiving notification from the HO, dependant on whether they are given a negative or positive decision, respectively. Where the individual is provided with HO accommodation support, this information (along with any vulnerability needs) is simultaneously shared with providers. This is subsequently communicated to LAs by the service provider, to allow for the potential approach for support by the individual. We are streamlining our notification process with providers to ensure this notification to LAs is undertaken as soon as possible.

Joint Working with DLUHC and LAs

3) What steps has your department taken to work jointly with the Department for Levelling Up, Housing and Communities and local government to assess ways to mitigate local pressures? For example:

a) to fund councils to work with landlords to find accommodation given housing supply issues,

The Government has announced an increase in funding for LAs who help to support asylum seekers and encourage councils to bring properties online more quickly. As of 1 April 2023, councils will receive a payment of £750 per person for each and every existing asylum bed and £3,500 for each new dispersal bed that comes online. In addition, as part of a four-month pilot, councils will receive a further incentive payment of between £2,000 and £3,000 where a bed is brought online within an expedited timeframe following identification. This almost doubles existing funding for those local authorities who take on new accommodation and do so quickly. This money will not be ringfenced and it is expected that these payments will incentivise cooperation and ease pressures on local services; payments will however be subject to the conditions of a grant agreement.

We continue to work collaboratively with LAs and accommodation providers to deliver regional plans to implement full dispersal through the regional governance boards established.

In addition, the Strategic Oversight Group, established in December 2022, is a cross-HMG group (including DLUHC) and is co-chaired with the LGA Chief Executive. This Oversight group meets fortnightly and provides a senior oversight forum for national and local government. This group assesses progress on short-term pressures within the asylum and resettlement system and establish a joint conversation on policy and operational development in the longer term.

b) to consider greater flexibility around the current 28 days 'move on' period for refugees so these are in line with the 56 days homelessness regulations. This would ease the pressure on both refugees and other local services.

Once an asylum seeker is granted refugee status, they are able to work and are therefore eligible to receive mainstream benefits. They may also be eligible for housing assistance from their LA. As you are aware, in line with our legislation, we provide a further 28 days asylum support after the grant of refugee status to give individuals adequate time to arrange accommodation and support going forward.

We also offer support to newly recognised refugees during the 28-day 'move-on' period, through Migrant Help or partner organisations. This includes providing advice on accessing the labour market through DWP, providing advice on applying for Universal Credit and signposting to LAs for assistance with housing. In some circumstances, Migrant Help may also book appointments for newly recognised refugees with the DWP to apply for Universal Credit.

There are currently no plans to change the time period (of 28 days) for individuals remaining on asylum support once they have had a grant of asylum. The asylum accommodation estate is under huge strain and increasing the 'move on' period would exacerbate these pressures.

Joint Working with DWP

4) The new accelerated decision process and consequent increase in numbers will place further pressure on the need for refugees to access benefits quickly to prevent homelessness. Please outline how you are working with the Department of Work and Pensions to ensure a smooth transition to benefits for those granted leave to remain?

We have established a monthly DWP/HO Asylum Decisions Group meeting. As part of this, we will share monthly asylum seeker datasets with DWP broken down to LA level, outlining the numbers of SAP and legacy asylum seeking cohorts across each of the

LAs to be processed by the end of 2023, to ensure DWP are sighted and can more effectively plan. This will allow those in our care to make claims and receive support once leave to remain has been granted.

DWP has shown throughout the recent pandemic and in working with re-settlers from Afghanistan and evacuees from Ukraine that it has the capacity to deal smoothly with any increased number of applications for benefit that may result from the HO's accelerated decision process. The HO and DWP will work together to understand likely volumes and locations of claims for benefit and ensure that once asylum seekers have been granted refugee status and have recourse to public funds, we are able to support them in accessing the benefits system and in receiving appropriate employment support to help them integrate into the UK.

Migrant Helpline is also instrumental in supporting asylum seekers with 'move-on' support including accessing welfare benefits and there is a range of communication and literature provided to users to facilitate this.

I trust this information goes some way to address the concerns raised. Thank you once again for taking the time to write to me.

Yours sincerely



The Rt Hon Suella Braverman KC MP