



Home Office

Rt Hon Caroline Nokes MP
Minister of State for ImmigrationCllr Tony Newman
London Borough of Croydon
Town Hall
Katherine Street
Croydon
CR0 1NX2 Marsham Street
London SW1P 4DF
www.gov.uk/home-office

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Dear Cllr Newman

Thank you for your letters of 19 July and 5 October. I sincerely apologise for the delay in responding to your original letter, and I understand that you should by now have received a response from my officials. You raised many important issues and I therefore wanted to write to you as well, and to take the opportunity to thank you and your officers for your ongoing commitment to supporting such a large number of unaccompanied asylum-seeking children. This continued commitment is greatly valued.

I understand that local authorities would like to know the outcome of the funding review as soon as possible. We hope to reach a conclusion soon, but I would like to reassure you that the time being taken is because we are listening to and taking very seriously the evidence local authorities, including Croydon, provided to the review. We have tough choices which need to be considered as part of the overall pressures on the Borders, Immigration and Citizenship System and in the wider context of fiscal pressures we are all facing.

Delivery of support for UASC is not just about funding alone. Whilst we consider the funding issue, we are continuing to take forward a number of other matters raised during the course of the review. This includes work to review the Home Office payments process, consider issues around former UASC care leavers and training for social workers on the asylum system. These issues should all be looked at alongside funding to provide long-term and sustainable solutions for these vulnerable young people.

Regarding education costs, we have always been clear that the UASC grant is intended as a contribution towards the support of UASC, and not a full cost recovery model. On funding for infrastructure costs, we recognise that certain local authorities with very large numbers of UASC, such as Croydon, incur certain infrastructure costs above those incurred by local authorities who look after smaller numbers.

The enhanced UASC rates you receive take these increased costs into account. The enhanced rates were agreed in February 2016, when it was agreed that they were sufficient to cover your full costs. Therefore, it has always been our intention that the enhanced funding rates you receive is to help with these additional costs. On that basis, we do not intend to introduce a core funding grant.

You mentioned the new duty introduced through the Children & Social Work (C&SW) Act that requires local authorities to continue to provide Personal Adviser support to any care leaver who requests it, through to age 25. The Department for Education's new burdens assessment considered how many young people we would expect to take up the offer of support, based on the experience of the small number of local authorities who had been offering support to all care leavers to age 25 before the legislation came into force.

A copy of the new burdens assessment is available at:

<https://www.gov.uk/government/publications/extending-personal-adviser-support-to-25-new-burdens-assessment>.

The accompanying guidance on implementing the new duty

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683701/Extending_Personal_Adviser_support_to_all_care_leavers_to_age_25.pdf) makes clear that the new duty does not require local authorities to offer the same proactive support to young people aged over 21 as is the case for those aged 18-20. For example, the new duty does not include the same requirements to keep in touch with care leavers that apply before they reach age 21.

In relation to care leavers who are former UASC, those who have leave to remain are entitled to access Personal Adviser support to age 25 if they want to, in the same way as any other care leaver. However, care leavers who become appeal rights exhausted (ARE) fall into the 4th category of 'ineligible person' listed in Schedule 3 of the Nationality, Immigration and Asylum Act 2002, which makes particular categories of people ineligible to receive leaving care support because of their immigration status. The Home Office ceases to provide leaving care funding to the local authority three months after the individual becomes ARE. In these circumstances, the local authority will only be able to continue to provide support to the extent necessary to avoid a breach of the person's rights under the European Convention on Human Rights.

The Home Office is currently reviewing asylum processing operations for UASC, as a result of the UASC funding review. Wherever operationally possible we will ensure as many UASC and former UASC cases are dealt with as a priority.

I have asked officials to work with you to determine whether better collaboration on the management of your cohort can deliver more timely outcomes. They will be in contact with you in due course to arrange a meeting or teleconference.

*Yours sincerely
Caroline Nokes*

**Rt Hon Caroline Nokes MP
Minister of State for Immigration**