



Home Office

Funding to Local Authorities Financial Year 2023/24

Home Office Funding: Leaving Care (Former
Unaccompanied Asylum-Seeking Children, post
18 Years age)

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1. Scope and Definition

- 1.1 This document sets out the terms under which the Home Office will make funding available to local authorities in England, Wales, Scotland and Northern Ireland during the financial year 1 April 2023 to 31 March 2024 to assist with their costs of supporting care leavers who were formerly unaccompanied asylum seeking children (UASC) and who are over the age of 18, and otherwise eligible. This funding is in addition to money for children's social care that local authorities receive through the Local Government Finance Settlement and finance arrangements which apply to the Devolved Administrations. The Home Office provides additional funding contributions to the costs incurred by local authorities in supporting former UASC care leavers.
- 1.2 This document should be read in conjunction with the UASC & Leaving Care Funding Excel workbook which contain the relevant funding submission sheet and notes for their completion that are needed to make a claim for funding.
- 1.3 A UASC is defined as an individual, who is under 18 when the asylum application is submitted, is not being cared for by an adult who by law has responsibility to do so, is separated from their parents and has applied for asylum in the United Kingdom in their own right.

2. Funding levels

- 2.1 Funding of £270 per week will be provided for each eligible person.

3. Eligibility for funding

- 3.1 Subject to paragraph 4.1 an individual receiving care leaver support will be treated as eligible to receive funding in the following circumstances:
 - (a) they were a UASC, are now over 18 years old; and
 - i. have been a child who was in the care of the local authority for at least 13 weeks
 - ii. after turning 21 are in a planned programme of education or training
 - (b) the local authority making the funding claim is responsible for their support; and
 - (c) the local authority making the funding claim is actually providing support and has not lost contact; and
 - (d) their immigration status is one of the following:
 - i. indefinite leave to remain
 - ii. leave to remain on the basis of humanitarian protection

- iii. discretionary leave to remain
- iv. Refugee Status
- v. exceptional leave to remain
- vi. an outstanding application to extend leave to remain, provided the application was submitted before the expiry of that leave
- vii. an outstanding appeal against refusal to extend their leave, provided the appeal was submitted in time
- viii. an outstanding asylum claim or an outstanding appeal against refusal of an asylum claim.

(e) Where a young person who has been accommodated in an emergency hotel dedicated to UASC and who arrives in the UK prior to the 13 week leaving care eligibility date but transfers via the National Transfer Scheme after that date they will be eligible for the leaving care tariff where the local authority provides leaving care support and where otherwise eligible.

(f) Where a young person who entered the care of a local authority having previously been accommodated as an adult in asylum support accommodation and when the young person would have been eligible for leaving care support had they been accepted as a child on arrival (i.e., they arrived in the UK 13 weeks prior to turning 18), they will be eligible for the leaving care tariff where the local authority provides leaving care support and where otherwise eligible.

3.2 If a supported person who previously satisfied the conditions set out in paragraph 3.1 becomes “Appeals Rights Exhausted” (ARE) they may continue to be treated as eligible for funding for an extended period of three months from the ARE date. The ARE date is the date when all their applications and appeals to remain in the UK have been finally rejected. The extended funding after the ARE date will only be provided if the local authority conducts an assessment to decide whether it is necessary to provide further support in order to avoid a breach of the person’s human rights as required by schedule 3 of the Nationality, Immigration and Asylum Act 2002¹.

3.3 If the local authority is not already aware of the ARE date this will be confirmed through the Home Office’s response to the local authority’s funding submission sheet application for payment (see section 5). After receiving notice of the ARE date via the funding claim response or the relevant Home Office team with responsibility for the case, the local

Schedule 3 of the Nationality, Immigration and Asylum Act 2002 makes particular classes of persons from abroad ineligible to receive various types of welfare support, including Leaving Care Support, because of their immigration status. Most former unaccompanied asylum-seeking children will fall into the 4th class of “ineligible person” listed in Schedule 3 at the point they become “ARE.” The 4th class is defined as “person unlawfully in the United Kingdom.” In these circumstances, the Local Authority will only be able to continue to provide support to the extent necessary to avoid a breach a of person’s rights under the European Convention on Human Rights.

authority must conduct the human rights assessment and inform the Home Office that this has been completed on the subsequent funding submission sheet. If the local authority received notice of the ARE date after the period 12 funding submission sheet has been submitted confirmation that the human rights assessment has been conducted must be provided to the UASC LA Payments team by 15 of May 2023 and must not be carried over into the submission for the next financial year. If these actions are not completed within this timescale funding will be ended on the ARE date.

4. Exclusions

4.1 A supported person will not be treated as eligible to receive funding in the following circumstances:

- a) they have been granted British Citizenship.
- b) the person becomes eligible to support or funding by the Home Office under other arrangements.
- c) the person reaches the age of 25.
- d) The person leaves previous planned training or education by the ages of 21 to 25
- e) when the person is absent or missing for more than 28 days consecutively. The local authority must promptly inform relevant contact(s) immediately and reflect this on the application for payment form (funding submission sheet). If the person returns to the local authority the funding submission sheet should be updated. When the person is absent for a short period of time, that is for 28 days or less, the funding may be payable during the absence period. If the person is absent for a consecutive period of 28 days funding will automatically cease.

Exception: If the person is in hospital for more than 28 days and the local authority continues to be responsible, they will still be eligible for funding.

- f) if the person is placed in a Young Offenders Institute (YOI) or prison, the local authority must reflect this on the funding submission sheet. If the person returns to the local authority the funding submission sheet should be updated. When the person is in a YOI or prison for a short period of time, that is for 28 days or less, the funding may be payable during the absence period.

5. Data reconciliation and payments

5.1 Local authorities are required to complete a monthly application for payment in the form set out in the funding submission sheet, which includes details of each supported young person and the numbers of days during the period that they received support. Local authorities must ensure funding for each supported young person is claimed for on the correct funding submission sheet.

5.2 Specific instructions for the completion of a funding submission sheet are included in the UASC & Leaving Care Funding Excel workbook. The funding submission sheet should only be submitted to the UASC LA Payments team via the Home Office's secure data transfer portal, "MoveIT DMZ" to ensure compliance with 1998 Data Protection Legislation and GDPR.

- 5.3 The first funding submission sheet application for payment for 2023/24 must be a new submission and not simply a continuation of the last submission in the 2023/24 financial year. Subsequent funding submission sheets must clearly highlight any additions and updates to the previous submission. The UASC LA Payments team will reconcile this data monthly against Home Office records.
- 5.4 The monthly funding submission sheet 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 June must contain May data. Payments will be withheld if funding submission sheet applications are not submitted by the specified date within the 2023/24 payment table for that period.
- 5.5 Once the information provided in the funding submission sheet has been reconciled local authorities will be advised of the eligibility and the agreed eligible days for each young person listed on the form. In some cases it will be necessary to seek further information from local authorities to confirm the person's eligibility or to clarify the period over which they are eligible to receive funding. Local authorities will be notified that these cases will be treated as "under review" pending determination of the eligibility to receive funding over the period in question. Any evidence to resolve discrepancies, disagreements over the funding eligibility or other anomalies, must be forwarded to the UASC LA Payments team by the following submission deadline. Failure to return evidence could result in future payments being delayed.
- 5.6 Payments for each period will reflect the number of agreed eligible days for the young people being supported during that time plus any adjustments necessary as a result of the resolution of cases previously under review.
- 5.7 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 details to: UASCLAPaymentsTeam@homeoffice.gov.uk
- 5.8 Each reference will be followed by the monthly number in the financial year. For example, the payment made for the period 1 April 2022 to the 30 of November 2023 will be referenced as '2023/24 leaving care POA up to Mth 8'. Cashiers' department should be advised accordingly.
- 5.9 The Home Office will cease payments when a person becomes Appeals Rights Exhausted unless the local authority shows in accordance with section 3.2 that the human rights assessment was completed within the specified timescales and notified to the Home Office. Where this has been completed a further three months funding will be agreed starting from the actual date the person became ARE. The Home Office will also cease payments the day before the person's 25th birthday, unless they have ceased to be eligible before then.
- 6. Disputes**
- 6.1 Local authorities have the opportunity to make representations if they believe that they have not received funding to which they are entitled to under the terms set out in this document. Any representations must be notified by the relevant local authority to the UASC LA Payments team within a month of the funding submission sheet response being sent following reconciliation against Home Office records. Back payments, where claims for funding for supported young people have not been submitted promptly, will only be agreed in exceptional circumstances.

7. Audits

- 7.1 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 Payments team will work with local authorities to ensure the accuracy of claims, thereby reducing the need for audits at year-end.
- 7.2 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 UASC, if required, and will be expected to justify and explain costs, where necessary.

8. Contact details

- 8.1 For queries relating to the information sent out in this document, the submission of funding submission sheet applications for payment or the use of Home Offices secure data transfer portal "MoveIT DMZ" please contact the UASC LA Payments team.
- 8.2 For queries relating to this Funding Instruction or the submission of applications please email UASCLAPaymentsTeam@homeoffice.gov.uk

9. 2023/2024 Timetable

For the 2023/2024* financial year the following timetable will apply:

Period	Funding submission sheet Submission Deadline	Payment Received by LA
April 2023	15 May 2023	31 June 2023
May 2023	15 June 2023	31 July 2023
June 2023	15 July 2023	31 August 2023
July 2023	15 August 2023	30 September 2023
August 2023	15 September 2023	31 October 2023
September 2023	15 October 2023	30 November 2023
October 2023	15 November 2023	31 December 2023
November 2023	15 December 2023	31 January 2024
December 2023	15 January 2024	28 February 2024

January 2024	15 February 2024	31 March 2024
February 2024	15 March 2024	30 April 2024
March 2024	15 April 2024	31 May 2024

10 Supporting documents

10.1 The annexes to these instructions are within the UASC & LC Funding Excel workbook with the following contents:

- Tab 1 - Setup & Notes - Funding submission sheet
- Tab 2 - Funding submission sheet claim form
- Tab 3 - Codes