



Home Office

Resettlement: policy statement

July 2018



© Crown copyright 2018

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/government/publications

Contents

Introduction	2
Purpose of document	2
Background	2
Policy intention	2
Legal Framework	2
Selection process	4
United Nations High Commissioner for Refugees (UNHCR)	4
Our Resettlement Schemes	4
Casework	6
Security checks	7
Allocation Process	8
Funding	8
Travel & Arrival	10
International Organization for Migration (IOM)	10
Biometric residence permit (BRP)	10
Arrival in the UK	11
Leave granted to resettled individuals	11
Life in the UK	12
Access to support & benefits	12
Travel	13
Criminality and leaving the scheme	14
Data sharing	16

Introduction

Purpose of document

This document gives an overview of the Home Office's resettlement policies and the main resettlement schemes.

Background

The UK operates four resettlement schemes: Gateway, Mandate, the Vulnerable Persons Resettlement Scheme (VPRS) and the Vulnerable Children's Resettlement Scheme (VCRS). Other legal pathways to the UK which are not covered in this document include, but are not limited to, [Family Reunion](#) and schemes to provide support to current and former locally employed staff in Afghanistan (more information [here](#) and [here](#)).

Policy intention

Our resettlement schemes offer a safe and legal route to the UK for the most vulnerable refugees. We purposefully target those in greatest need of assistance, including people requiring urgent medical treatment, survivors of violence and torture, and women and children at risk. We work closely with the United Nations High Commissioner for Refugees (UNHCR), the global refugee agency, to identify those living in formal refugee camps, informal settlements and host communities who would benefit most from resettlement to the UK. Our resettlement schemes are not selective on the basis of employability or integration potential. Apart from the criteria we set for each scheme, we do not seek to influence which cases are referred to us by UNHCR.

Our approach is to take refugees direct from non-European countries where resettlement may be the only durable solution, often from the region bordering countries with conflicts. In the case of the VPRS and VCRS, this means those currently in Egypt, Iraq, Jordan, Lebanon and Turkey. This provides refugees with a more direct and safe route to the UK.

Legal Framework

The 1951 UN Convention Relating to the Status of Refugees (full text [here](#)) is the framework which underpins international refugee protection. It, along with the 1967 Protocol, clearly sets out the definition of a refugee, along with the kind of legal protection, other assistance and social rights a refugee is entitled to receive. It also highlights the obligations of refugees towards their host country.

The Convention defines a refugee as someone who 'owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social

group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.' This is the definition used by both UNHCR and the UK when determining whether somebody is a refugee.

The UK will only resettle those determined by UNHCR to be refugees in accordance with the definition in the Convention. All resettlement to the UK is at the government's discretion.

Selection process

United Nations High Commissioner for Refugees (UNHCR)

UNHCR is the internationally recognised and UN mandated agency for dealing with refugees. It has a global presence and more than 65 years' experience in handling refugee crises. We rely on UNHCR to help us to identify and process vulnerable refugees who would benefit from resettlement.

UNHCR has responsibility for all out-of-country casework activity relating to our resettlement schemes.

They will:

- verify identity and family composition;
- interview registered refugees to determine their experiences and current circumstances in the host country;
- identify refugees with potential resettlement needs and assess their vulnerability;
- conduct a full Refugee Status Determination (RSD); and
- conduct a resettlement interview and assess that refugees meet the criteria for resettlement in accordance with UNHCR's resettlement handbook before referring them to the UK for consideration.

Our Resettlement Schemes

Vulnerable Persons Resettlement Scheme (VPRS)

Under the VPRS, the UK will resettle 20,000 refugees fleeing the Syrian conflict by 2020. It is accessible to refugees who have fled the conflict and who have been referred to us by UNHCR.

The scheme is only for refugees still in the Middle East and North Africa (MENA) region (i.e. in Egypt, Iraq, Jordan, Lebanon and Turkey), not those who have travelled to Europe.

Refugees must have fled Syria because of the current conflict (i.e. after March 2011). The scheme is open to refugees of all nationalities.

Refugees are assessed for resettlement by UNHCR against their resettlement submission categories:

- Legal and/or Physical Protection Needs;

- Survivors of Violence and/or Torture;
- Medical Needs;
- Women and Girls at Risk;
- Family Reunification;
- Children and Adolescents at Risk;
- Lack of Foreseeable Alternative Durable Solutions.

Vulnerable Children's Resettlement Scheme (VCRS)

The VCRS is a commitment from the UK to resettle up to 3,000 children and their families from the Middle East and North Africa (MENA) region by 2020.

The VCRS is open to vulnerable children and their families in Egypt, Iraq, Jordan, Lebanon and Turkey, where UNHCR deem resettlement to be in the best interests of the child. The scheme is accessible to all 'children and adolescents at risk' as defined by UNHCR, which encompasses unaccompanied children as well as those in families or with care-givers (an adult who UNHCR is satisfied has assumed legitimate responsibility for the child). The scheme is open to refugees of all nationalities.

Examples of the types of cases which UNHCR may consider for resettlement under the category of 'children and adolescents at risk' include:

- Children without legal documentation
- Children with specific medical needs
- Children with disabilities
- Child carers
- Children at risk of harmful traditional practices (including child marriage and female genital mutilation)
- Children at risk of being forced to work
- Children associated with armed forces or armed groups
- Children in detention
- Children at risk of refoulement (forcible return to a country where they are liable to be subjected to persecution)
- Child survivors of (or at risk of) violence, abuse or exploitation including sexual and gender based violence.

Unaccompanied children

The vast majority of children who are resettled through VCRS arrive with their parents or other carers. However, unaccompanied children are eligible under the scheme if UNHCR determine that resettlement is in their best interests.

Gateway

The Gateway Protection programme aims to resettle 750 refugees per (financial) year, generally those in protracted refugee situations.

Each year, UNHCR publish their Projected Global Resettlement Needs at the Annual Tripartite Consultations on Resettlement. The Gateway caseload is determined using this document and in discussion with other government departments and UNHCR. The caseload is then agreed at ministerial level.

Cases are accepted under UNHCR's resettlement submission categories (see page 4). Individuals resettled through Gateway must have been living in a protracted refugee situation for over five years, unless there is an urgent need for resettlement (e.g. life endangerment).

Mandate

The Mandate resettlement scheme resettles recognised refugees who have a close family member in the UK who is willing to accommodate them. It is a global scheme and there is no annual quota.

Beneficiaries of the Mandate scheme must have been recognised as refugees by UNHCR, and judged by them to be in need of resettlement. The refugee must be a minor child, spouse, or parent or grandparent aged over 65 of someone settled in the UK, or who has limited leave to remain in a category leading to settlement, who is willing to accommodate and support them. The UK relative does not need to hold refugee status. We will only consider wider family members (e.g. adult siblings) if there is an exceptional circumstance.

Community sponsorship

Our community sponsorship scheme enables community groups to become directly involved in supporting resettlement by welcoming a family resettled through the VPRS or VCRS into their local community. More information on the community sponsorship scheme can be found [here](#).

Casework

UNHCR will conduct a full Refugee Status Determination (RSD) and resettlement consideration, as they are mandated to determine whether an individual meets the 1951 Convention definition of a refugee (see [Legal Framework](#)) and are best placed to assess their protection needs. Having determined that the individual is a refugee UNHCR will then consider whether resettlement is the right long-term solution for them, and then to which

country or resettlement scheme they should be referred. If UNHCR consider that an individual should be referred to the UK for resettlement, they will send us a Resettlement Registration Form (RRF) which confirms that the individual has been determined by UNHCR to be a refugee according to the terms of the 1951 Convention. The RRF is a summary of both the RSD and the resettlement consideration. This is processed by our casework team, who determine whether the case should be accepted for resettlement to the UK.

Our caseworkers manage the inward flow of referrals from UNHCR, assessing the eligibility of referrals through a caseworking process and commissioning relevant screening and security checks. Caseworkers do not reassess vulnerability. UNHCR are internationally recognised experts in assessing vulnerability and by referring the case they are recommending that the persons fall into one of their resettlement submission categories and have needs which mean they should be resettled in the UK. UNHCR have access to more detailed case information – which will have been gathered during the extensive interviews they conduct during various stages of resettlement processing – and have a better understanding of circumstances refugees face in host countries.

Security checks

We take security extremely seriously in cases referred to us for resettlement, working closely with UNHCR. UNHCR screens out cases for resettlement consideration in accordance with the safeguards built into the 1951 Refugee Convention. When potential cases are submitted by UNHCR for consideration they are screened and considered for suitability for entry to the UK: we retain the right to reject individuals on security or other grounds.

We will not resettle individuals who have committed war crimes, crimes against humanity or other serious crimes outside the country of refuge, in line with the Convention. For this reason, caseworkers must pay particular attention to an individual's:

- previous occupation; and
- military history;

and for VPRS cases:

- involvement with the Syrian authorities;
- activity during the Syrian conflict; and
- their journey from Syria to the host country.

Allocation Process

The majority of refugees resettled through the VPRS and VCRS are done so in partnership with local authorities. We receive offers of accommodation either directly from the local authority, or on a regional basis through the regional Strategic Migration Partnership (SMP). Refugees will be matched to suitable accommodation based on their assessed needs. For Gateway, we have grant agreements with a small number of local authorities who accommodate resettled individuals.

Refugees resettled through the Mandate programme are expected to be accommodated and supported by their family member living in the UK.

Some families resettled through the VPRS and VCRS will be placed with a community sponsor group instead of a local authority.

Unaccompanied children who are resettled to the UK will be placed with a local authority via the National Transfer Scheme.

Further guidance on the procedure can be found [here](#).

Funding

The VPRS and VCRS reimburse the first year of costs that fall to local authorities, using the overseas aid budget. The Government committed £129m in 2015 to assist with local authority costs over years 2-5 of the scheme. This is allocated on a tariff basis over four years. Education and health funding flows through the normal per capita funding routes.

There is also an exceptional cases fund which local authorities can use to assist the most vulnerable refugees, for example by making adjustments to homes for individuals with mobility issues.

For community sponsorship cases, the sponsor is responsible for supporting the resettled family in the first year. The local authority therefore does not receive the Year 1 tariff for these cases. Tariff funding for Years 2 to 5 will be determined on a case-by-case basis, following an assessment of the needs of the resettled family. The local authority will be involved in this decision.

We have grant agreements with the International Organization for Migration (IOM) and local authorities to fund the pre- and post-arrival support they provide to individuals resettled through Gateway. We also have grant agreements with the education and clinical commissioning groups in these areas. Costs are funded for 12 months after the resettled individual's arrival.

For individuals resettled through Mandate, we fund any travel and medical costs incurred by IOM but no funding is provided after their arrival in the UK.

Travel & Arrival

International Organization for Migration (IOM)

IOM plays a key role in resettlement, working in the region to provide health assessments, document handling and travel assistance before refugees are resettled to the UK.

Health assessments

Migration Health Assessments (MHAs) conducted by IOM are provided to local authorities in order that appropriate care can be arranged for the refugees concerned on arrival; they may also inform where an individual is resettled, for example if they have mobility issues or have a health condition which requires specialist treatment. Refugees who have TB will not be resettled until their condition is assessed as being latent.

IOM, Public Health England and the Home Office have produced a [health protocol document](#) as guidance on the aim, objectives and scope of pre-entry health assessment for refugees who are resettled in the UK under the government's resettlement schemes.

Travel assistance

IOM are commissioned to provide refugees with the assistance they need in order that they can depart for the UK on the agreed resettlement date. This includes applying for the UK visa; accompanying refugees to UK visa application centres in order that biometrics can be enrolled; booking flights; arranging exit permits from the host country in liaison with UNHCR; and confirming that refugees are fit to travel.

Cultural orientation

Refugees resettled under the VPRS, VCRS and Gateway are invited to attend a pre-departure cultural orientation session delivered by either IOM or resettlement staff which gives them the opportunity to acquire information they will need when they arrive in the UK. This is complimented by further briefing at a local level on arrival in the UK.

Biometric residence permit (BRP)

Everyone resettled in the UK (including children) is issued with a biometric residence permit (BRP). These can be used to confirm identity, immigration status, and right to work or access to public funds. The card will include the holder's National Insurance number if they are over 16 on the day of arrival. Bio-metric enrolment (fingerprinting and photograph) takes place as part of the visa application process. The BRP is sent to the local authority or community sponsorship group for distribution shortly after arrival.

Arrival in the UK

Our Arrivals team will arrange for families resettled through VPRS, VCRS or Gateway to travel to the UK six to eight weeks after they have been allocated accommodation (depending on the host country exit permit process). This can be on a scheduled or chartered flight. IOM will send an escort to accompany families to the UK and they will be greeted by representatives from the local authority or community sponsorship group on arrival.

For those on the Mandate scheme, we will cover the cost of flights to the UK where the individual cannot afford to do so and IOM will provide an escort for particularly vulnerable individuals or families. They will be greeted by their relatives at the airport on arrival.

Leave granted to resettled individuals

Under VPRS and VCRS, resettled refugees are issued six months' Leave Outside of the Rules prior to departure from the region. These are handed to the International Organization for Migration (IOM), for use in obtaining exit permits from host countries and making departure arrangements.

Individuals resettled through the VPRS and VCRS since July 2017 have been granted five years' refugee leave on arrival. Those resettled before July 2017 were granted five years' Humanitarian Protection (HP). Those who arrived before July 2017 can request to request to change their status [here](#). More information on [refugee leave](#) and [Humanitarian Protection](#) can be found on GOV.UK.

Once individuals resettled through the VPRS and VCRS have been in the UK for five years, they may apply for settlement (Indefinite Leave to Remain) as a refugee free of charge. Resettled individuals are not subject to the Knowledge of Language and Life requirement when applying for settlement. More information can be found [here](#).

Individuals resettled through the Gateway and Mandate schemes are granted Indefinite Leave to Enter as a refugee on arrival.

Life in the UK

Access to support & benefits

Resettled individuals have an immediate right to work and access to mainstream welfare benefits, dependant on their circumstances and whether they meet the relevant Department for Work and Pensions criteria for the specific benefit for which they are applying.

Further guidance on refugee entitlement to NHS services can be found [here](#).

Local authority support

Individuals who are resettled through the VPRS or VCRS are provided with initial reception arrangements, casework and orientation support including English language provision by the receiving local authority (or community sponsor). Accommodation is also provided, but refugees are required to pay rent through a tenancy agreement.

In addition, upon arrival, the local authority will assign a caseworker to every resettled family or individual who maintains close contact with the family for the first 12 months to support their well-being and integration. The caseworker will help the family to register with local schools or ESOL classes, attend Job Centre Plus appointments for benefit assessments, register with a local GP, provide advice around and referral to appropriate mental health services and to specialist services for victims of torture, and assist with access to employment. This support is funded by central government and reflects the fact that they have been referred for resettlement to the UK by the UNHCR on account of their particular vulnerability.

Refugees resettled through Gateway are provided with a 12 month package of housing and integration support, including access to a local authority caseworker for the first 12 months. All costs of the refugees (including health, education and social benefits) for the first 12 months after their arrival are funded by central government.

English for Speakers of Other Languages (ESOL)

The Department for Education (DfE) supports ESOL as part of its wider strategy to improve adult literacy in England. Adults who are resettled in the UK are eligible for the same skills funding as any other UK resident and are not subject to the normal three-year qualifying period in England.

In addition, the government has pledged up to £10m over five years for a jointly funded DfE and Home Office programme to enable adults resettled through the VPRS and VCRS to access language tuition and integrate into British society. The additional funding for English language training will mean all adults arriving through the schemes anywhere in the UK will receive a minimum of eight hours' tuition a week in their first year.

Welsh language

Families may be resettled to areas of Wales where the local schools teach in the medium of Welsh. Where this occurs, we will work with the local authority or community sponsorship group to ensure that resettled children receive additional support to learn both Welsh and English at school.

Higher Education

Resettled individuals have access to higher education in the UK but access to student finance differs depending on immigration status.

Those with refugee status are eligible for the home fee status for tuition fees. They are also eligible for living cost support if they are on an eligible higher education course and meet all other eligibility criteria. Those who are recognised as refugees after the start of their course may qualify for support for the remainder of their studies as follows:

- Living cost support in any subsequent years of the course (and in the quarters following the award in the year of the award); and
- Tuition fee loans in any subsequent years of the course (and in the year of the award if the award is made within three months of the first day of the academic year of the course).

Those with Humanitarian Protection are only eligible for the home fee status for tuition fees if they have been resident in the UK for three years (although individual universities are able to apply discretion in this regard). They are also eligible for living cost support if they are on an eligible higher education course and meet all other eligibility criteria including the three-year residency criteria. More information can be found [here](#).

In Scotland, further/higher education fees are free for eligible students resettled through the UK's resettlement schemes who have been ordinarily resident in the UK at all times since being granted leave to remain (refugee leave or Humanitarian Protection) and are ordinarily resident in Scotland on the relevant date (the relevant date for autumn start courses is 1 August).

Travel

Humanitarian Protection (HP)

Individuals who were granted HP on arrival in the UK can continue to use their valid national passport to travel, if they hold one. They are able to travel out of the UK including to the country from where they were resettled. However, travelling to their country of origin and/or country from which refuge was sought could impact on their HP status on return to the UK if it is considered that their travel to their country of origin means they no longer need international protection.

Individuals with HP can apply for a Home Office travel document called a Certificate of Travel. If they apply for a Certificate of Travel, they must submit their national passport (if held) as it is not permitted to hold both documents at the same time. The passport will be retained as long as the person has a Home Office travel document.

A Certificate of Travel will be closed to an individual's country of origin and/or the country from which refuge was sought. Individuals must check whether visas are required for the countries they wish to visit or travel through.

Refugee Status

Individuals with refugee status should no longer use their national passport to travel as it could affect their refugee status. Instead, they can apply for a 1951 UN Convention Travel document (also known as a Refugee Travel Document). If they do so, they must submit their national passport (if held), which will be retained by the Home Office for as long as the applicant has the Convention Travel Document.

Refugee Travel Documents will normally be valid for travel to all countries (including the country from which the individual was resettled) but will be closed to the country of origin and/or the country from which refuge was sought. Individuals should check whether visas are required for the countries they wish to visit or travel through. Whether or not refugees are granted a visa, allowed to enter that country and allowed to leave is entirely the decision of the country they wish to visit. If someone who has been granted refugee status obtains a national passport from the national authorities of the country from which they sought refuge and/or travels back to that country their case will be reviewed to consider whether it is appropriate to revoke their refugee status on the basis that they no longer need international protection.

More information on [Home Office travel documents](#) can be found on GOV.UK.

Criminality and leaving the scheme

Our policy towards resettled individuals who commit a serious crime or who lose their refugee status or HP for any other reason is the same as for those granted protection after arrival in the UK. There is guidance on the [revocation of refugee status](#), [Humanitarian Protection](#) and [restricted leave](#) on GOV.UK.

A resettled individual's refugee status or HP will therefore be reviewed, in accordance with these policies, following criminality and revoked if the individual is deemed to be a danger to the community after having been convicted by a final judgment of a particularly serious crime. Cases will be considered individually, taking into account the sentence together with the nature of the crime, the actual harm inflicted and whether most jurisdictions would consider the offence a serious crime.

If the criminality is sufficiently serious and the individual constitutes a danger to the community but the individual cannot be removed from the UK because it would contravene

the UK's obligations under the European Court of Human Rights (ECHR), their current leave should be revoked and replaced with a form of limited leave (Discretionary or Restricted Leave). Conditions will be imposed according to the individual's situation and the nature of their crime.

Dependants will be allowed to retain their status (unless they have themselves been convicted of a particularly serious crime and are judged to be a danger to the community). If the individual is removed to another country, their dependants will be given the option of residing in the UK with the status they have been granted or returning to their country of origin when the individual is deported.

Local authority funding will be reviewed on a case by case basis following revocation of status, but we anticipate that it will continue unless the family leaves the local authority area. This is in recognition of the fact that depending on the conditions placed on the individual, they may still represent a cost to the local authority. It is for the local authority to decide how to spend the funding they receive and discontinuing the tariff for an individual could place an additional financial burden on the local authority. If a resettled individual commits a crime but does not lose their refugee status or HP (e.g. because it is minor or they do not represent a danger to the community) there will be no implications for their status or the support they receive.

Voluntary withdrawal

Where a family chooses to move to another area, it is for local authorities to agree at a local level whether funding already committed in year 1 could be transferred to another local authority. Local authorities may agree a partial transfer of funding if a family has moved away but are still accessing local services. In years two to five a local authority will be able to claim funds if a family moved into their area and they can provide evidence that they are actively providing support to them. If a family leaves the country on a permanent basis, they will be considered to have left the scheme.

It is for local authorities to determine whether the accommodation they provide to families is suitable and, if not, to provide alternative accommodation. A family that chooses to leave accommodation deemed suitable by the local authority will be considered to have voluntarily withdrawn from the scheme unless the move has been agreed with, and has the support of, the local authority.

We expect local authorities to inform us as soon as possible when a family is absent from their accommodation for a period of time, so funding requirements can be reviewed. The implications for individuals will be determined by their access to benefits or policy of the local authority (e.g. they may be unable to claim housing benefit after a certain time). If a family has been or are likely to be absent from their accommodation for 8 weeks or more, are not meeting their rent obligations, and the local authority considers they are unlikely to return, they will be considered to have left the scheme. This may be extended where it is not practical for the family to return within that period.

In this context, a family considered to have 'left the scheme' will no longer be entitled to the package of support under it. Their leave and immigration status will not be affected. Where the family is no longer accessing support under the scheme, funding to the local authority will also cease.

Data sharing

We have a data sharing protocol (DSP) in place with local authorities, which provides a set of principles for the secure handling of resettled individuals' personal information. The DSP can be found in the [funding instruction for local authorities](#). It allows us to share the UNHCR Resettlement Referral Form, Migration Health Assessment form and Best Interest Assessments and Determinations with local authorities so that they can provide necessary support to resettled families, whilst ensuring that this information is used appropriately and securely.

