



Home Office

Policy Statement

Windrush Scheme: Support in urgent and exceptional circumstances

December 2018



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Background

- 1) On 16 2018, the Home Secretary established the Windrush Taskforce to make immediate arrangements for those who needed help to confirm their immigration status and make it easier to access support. This included setting up a helpline for affected individuals to get in touch with the Home Office. Those applying under the Windrush Scheme benefit from the services of the Taskforce which helps people to navigate the immigration system and takes a sympathetic and proactive approach when resolving applications.
- 2) The Taskforce has had considerable success in providing support to affected members of the Windrush generation. This has included:
 - Implementing a fast-track service with the Department for Work and Pensions to confirm status and residence, enabling access to benefits and back-payment of any previously withdrawn;
 - Securing access to free NHS treatment;
 - Working closely with local authorities to secure temporary accommodation for those who are homeless;
 - Building relationships with local charities and the Salvation Army to ensure basic provisions and needs can be met in the interim;
 - Referring people assessed by the Taskforce to bespoke debt advice from Citizens Advice, where this is appropriate.
- 3) There have been a few urgent and exceptional cases where it has been appropriate to provide assistance in advance of the launch of a Windrush compensation scheme. This document sets out our approach to exceptional cases. This policy will only remain in place until the compensation scheme is operational.

Policy Design

- 4) This policy provides for support to members of the Windrush cohort who have an urgent and exceptional need in advance of a Windrush Compensation scheme. For a case to be considered under this policy, the following tests must be met:
 - a. The person is part of the Windrush cohort (as defined in the Commonwealth Taskforce Scheme);
 - b. There is a compelling reason why this cannot wait for the full compensation scheme; and
 - c. The circumstances of the claim are exceptional – (should support the claimant's life, dignity or ability to return to the UK in an urgent circumstance).

Other factors to be considered where relevant (but not exhaustive)

 - d. Whether the claimant has previously been denied entry to the UK;
 - e. Whether the claimant has access to alternative funds or there are other exceptional circumstances; and
 - f. The cost should normally be less than £5,000.
- 5) Anyone who considers they might fall within this policy should contact the taskforce at Freephone: 0800 678 1925 or Email: commonwealthtaskforce@homeoffice.gsi.gov.uk
- 6) A reasonable degree of evidence will be required and this will be requested after initial contact is made.

- 7) Any payments or assistance provided under this policy may be taken into account in any subsequent claim under the Windrush Compensation Scheme.
- 8) This policy will be reviewed once the Windrush Compensation Scheme is operational.

Timing and Decision-Making Process

- 9) On receipt of a request for an urgent and exceptional payment, the Vulnerable Persons Team within the Taskforce will undertake an initial assessment. This will be considered and prioritised, if urgent, and we aim to advise the claimant of the outcome within ten working days and earlier if possible.
- 10) The claimant (or delegated payee) will be contacted by letter within a further 48 hours of the outcome and will be provided with information on the payment or assistance offered. A template accepting this offer will be included for completion and return to the Taskforce.
- 11) If the claimant accepts the offer, payment will be made as soon as possible and no later than 14 days. If an offer of assistance is not made at this stage, or the claimant declines assistance, the claimant may make another application should their circumstances change.

Annex A: Framework for dealing with requests for support in urgent and exceptional circumstances

Windrush applicant presents to Taskforce with a case of urgent and exceptional needs.



Taskforce confirm that the applicant is eligible under the Windrush scheme and seek to resolve the needs through existing support options, i.e. local authorities, the charitable sector and OGDs.



For a case to be considered under this policy, the following tests **must** be met:

- a. The person is part of the Windrush cohort (as defined in the Commonwealth Taskforce Scheme);
- b. There is a compelling reason why this cannot wait for the full compensation scheme; and
- c. The circumstances of the claim are exceptional – (should support the claimant's life, dignity or ability to return to the UK in an urgent circumstance).

Other factors **to be considered** where relevant (but not exhaustive)

- d. Whether the claimant has previously been denied entry to the UK;
- e. Whether the claimant has access to alternative funds or there are other exceptional circumstances; and
- f. The cost should normally be less than £5,000.



Taskforce informs the claimant of their decision in writing within 10 working days of the request.
The applicant is asked to formally accept the offer and that the total cost may be taken into account in any subsequent claim made under the Windrush Compensation Scheme.



If accepted, the Department makes payment or other arrangements for claimant within 14 days.