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## Change of address

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**This instruction covers the circumstances in which a change of address may occur and the actions to be taken.**

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## **Application of this instruction in respect of children and those with children**

Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the Home Office to carry out its existing functions in a way that takes into account the need to safeguard and promote the welfare of children in the UK. It does not impose any new functions, or override existing functions.

Officers must not apply the actions set out in this instruction either to children or to those with children without having due regard to Section 55. The Home Office instruction 'Every Child Matters; Change for Children' sets out the key principles to take into account.

Our statutory duty to children includes the need to demonstrate:

- Fair treatment which meets the same standard a British child would receive;
- The child's interests being made a primary, although not the only consideration;
- No discrimination of any kind;
- Asylum applications are dealt with in a timely fashion;
- Identification of those that might be at risk from harm.

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# Chapter 1 - Introduction

Asylum applicants whether in private subsistence only accommodation, or housed in support accommodation, may request a move to an alternate property. A change of address or relocation request must be made in writing and signed by the applicant. Providers may also wish to move a service user.

Applicants who do not inform the Home Office of a change of address may have their asylum support withdrawn for failing to report a significant change in their circumstances, as set out in Regulation 15 (1) of the [Asylum Support Regulations 2000](#). See also: Withdrawal of Asylum Support where a breach of conditions has occurred.

Where applicants are relocated, their asylum application may have to be passed to another asylum team for consideration.

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## 1.1 Maintaining subsistence support following relocation

When applicants are relocated, their allocated regular support payments must be stopped and re-allocated to their new address.

Support will always end on the Sunday; however, if support is stopped less than 5 days before Sunday, it will end the following Sunday (for example if support is stopped Monday 12<sup>th</sup> Feb, it will end Sunday 18<sup>th</sup>; if support is stopped Thursday 15<sup>th</sup> Feb it will end Sunday 25<sup>th</sup>).

There will be a gap in the restart of regular payments, as it will take two weeks for regular support to be available for collection. This will be covered by an Emergency Support Token (EST), generated. Checking the Payment History will give assurance that the EST generated covers the correct period. Case workers should consider whether the applicant will be able to physically get to the Post Office to collect support allocated to the old address.

Service Users may have been issued Interim Support Tokens (ISTs) by their accommodation providers, allowing for subsistence to be allocated to the applicant's new address. This payment will need to be taken into consideration when support is reassessed. Where appropriate the EST value should be adjusted to take monies paid into account, so that future payments could be reduced in the event of an overlap.

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## 1.2 HC2 certificate

A change of address does not require a replacement HC2 to be issued. Where our systems reflect the applicant's current address the HC2 is valid. If the applicant requests a new HC2 or returns his existing certificate, he should be informed that the HC2 is valid. If the HC2 has expired or there is a change in the applicant's circumstances, such as the addition of a dependant, a replacement should be sent, upon receipt of the old one.

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## Chapter 2 - Support Accommodation to Alternative Support Accommodation

To qualify applicants must be residing in initial, dispersal or spot booked accommodation. The request must be made in writing and signed by the applicant.

Relocation is not normally permitted except in exceptional circumstances. However, in all cases caseworkers should exercise discretion in deciding whether compelling or exceptional circumstances exist for a re-location; and have regard to the desirability of providing accommodation in areas where there is a ready supply.

The following, non exhaustive list, are examples of when a change of address may be considered exceptionally.

1	<p><b>Applicant has close family ties in another area</b></p> <p>These ties should have been mentioned in the applicant's support claim and may have been entered onto our case database. The applicant should provide supporting documentation. The evidence should be assessed on a case-by-case basis. See also: The <a href="#">Human Rights Act 1998</a></p>
2	<p><b>Applicant is receiving medical treatment in a specific area/medical institution.</b></p> <p>Occasionally relocation may be exceptionally considered, for instance, to access medical treatment. In such circumstances it may be necessary to forward evidence to the medical adviser for an assessment to be made as to the need for relocation, before arriving at a conclusion. .</p>
3	<p><b>The applicant or his/her dependant is subject to domestic violence</b></p> <p>There may be occasions where applicants or their dependants have committed or been subject to domestic violence, racial harassment, and public harassment or anti social behaviour. The initial consideration should be whether the case should be investigated by a Compliance officer before reaching a decision on whether the applicant should be relocated.</p> <p>Where notification of an incident of domestic violence is received from the accommodation provider, or referred directly to the Home Office, follow the processes set out in the Asylum Support: Policy Bulletins Instruction</p> <p>The new address must be kept confidential from the spouse/offender.</p> <p>If the family is being split, dependants must be made aware that they will not be eligible for asylum support unless they make an application for asylum in their own right. If the dependant does want to claim asylum, a caseworker should consider, in consultation with a Senior Caseworker, whether Emergency Support Tokens (ESTs) should be paid to the dependant for one week while the application for asylum and asylum support is being made.</p>

	<p>If the dependants decide to make an asylum application in their own right but they are unable to get to the Asylum Screening Unit, they should approach the nearest Migrant Help Services for assistance in the first instance.</p> <p>Ensure that the proposed accommodation meets the needs of all concerned. Following any relocation the asylum support application of the main applicant must be reassessed to take account of the new family situation. Any overpayment that has been made must usually be recovered.</p>
<b>4</b>	<p><b>The applicant or his/her family is subject to racial harassment.</b></p> <p>Caseworker must contact a Compliance officer who will investigate the case and make recommendations based on their findings. Recommendations made by the Investigating officer will help to inform the casework decision, which might include moving the applicant to another area.</p>
<b>5</b>	<p><b>The applicant or his/her family is harassing members of the public</b></p> <p>Caseworkers must consider referring the case to a Compliance officer. Recommendations made by the Investigating officer will help to inform the casework decision.</p>
<b>6</b>	<p><b>The applicant is being anti-social towards other asylum seekers in the same property</b></p> <p>Caseworker should consider whether to refer the case to a Compliance officer.</p> <p>If the applicant has to be moved urgently, the caseworker must contact the Accommodation Booking Team (<a href="#">ABT</a>) by phone and email. If the case is not urgent, a Request to Travel (<a href="#">RTT</a>) should be entered onto the electronic case notes</p> <p><b>To note:</b> Caseworker should ensure that an Emergency Support Token is issued to the person to cover the period until the move has been agreed. Any Interim Support Tokens (ISTs) issued by accommodation providers, allowing for subsistence to be allocated to the applicant's new address will need to be taken into consideration when support is reassessed.</p>

## 2.1 Actions following a relocated person's arrival in the new property

Once a relocation request has been approved, the asylum support application must be reassessed to ensure that the correct support is being paid. The applicant does not need to submit a new Asylum Support application form (ASF 1). Caseworkers should also:

- send the applicant a 'Variation in Support' letter confirming the change with details of any change in support payments including any emergency support generated;
- inform the new Local Health Authority, where the applicant has relocated to a new Primary Care Trust area; and where there are dependants the Local Education Authority, sending the 'Notification of support to LHA/LEA';
- Minute any action they have taken on the case, details of any support issued must be included.

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## Chapter 3 - Private Accommodation to Support Accommodation

Those who receive subsistence only support, and are presently in private accommodation, can apply to be housed in asylum support accommodation. Applications must be made in writing and signed by the applicant.

Where the need is urgent but accommodation cannot be found, the applicant should be advised to go to the Refugee Council for assistance. The applicant may then be put into initial accommodation. If the applicant is provided with accommodation he may then be dispersed to another part of the UK.

If the applicant is requesting a specific location, he will need to provide an exceptional reason for the requested area. Accommodation is offered on a “no choice” basis except in exceptional circumstances assessed on a case by case basis. Scenarios may include:

<b>1</b>	<b>Applicant has close family ties in a particular area</b> Details of these ties should have been mentioned in the applicant’s support application and may have been entered on A-CID. Supporting documentation from the applicant is also required for the other family member, e.g. name, DOB, address, relationship to the applicant, status in the UK and whether he is in employment. See also: The <a href="#">Human Rights Act 1998</a> .
<b>2</b>	<b>Applicant is receiving medical treatment from a specialised medical institution in his current area</b> The applicant will need to provide medical evidence of this. The evidence will then have to be referred to the Medical Advisor. For a client of the Medical Foundation for Victims of Torture caseworkers should refer to the support policy document on Horizon.
<b>3</b>	<b>Applicant has a dependant child in their household who has started the last two school or college years leading up to his GCSE, AS or A-Level exams (or their equivalents).</b> Dispersal to another area should be temporarily deferred if the child has been enrolled at the school for at least a term of the previous academic year. A letter from the school or college will be required confirming the necessary details. Uncooperative families should not normally benefit from this concession.
<b>4</b>	<b>Applicant’s family has expanded</b> The new arrival must be added as a dependant of the applicant before the change of circumstances can be actioned. For further information, see: Dependants on an Asylum Support Application.

Once the request has been approved and the applicants have arrived at their new accommodation see: [2.1 Actions following a relocated person’s arrival in the new property](#). For further necessary actions

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## Chapter 4 - Support Accommodation to Private Accommodation

Applicants who are living in asylum support accommodation may request to change their address and move into private accommodation. The request should be made in writing.

Subsistence only support should not be provided to people with accommodation costs that the asylum seeker would be unable to meet. Caseworkers must be satisfied that there are no such costs associated with the accommodation (e.g. rent, utility bills etc). If there is any indication that the new accommodation is rented or that there are other costs associated with it, the applicant should be informed (via letter SB2), that only those applicants who are destitute will be supported. If the applicant is able to meet the cost of renting private accommodation, his destitution is questionable.

Where it is established that no asylum support costs will be incurred, the address can be authorised.

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### 4.1 Review of the Section 55(1) decision following a change of circumstances

Cases where the applicant was initially granted accommodation and subsistence support to avoid a breach of his Convention rights under Section 55(5)(a) and subsequently applies for subsistence only, should be reviewed to establish whether the applicant would receive a positive Section 55(1) decision. The applicant may be invited to a Section 55 interview to explore whether support is still necessary in order to prevent a breach of Convention rights.

The applicant should be provided with 'subsistence only' support pending the Section 55 decision. If the applicant fails to attend his interview with no reasonable explanation, he will not have demonstrated that support is necessary to prevent a breach of his convention rights and in addition, the Home Office will not be satisfied that he claimed asylum as soon as is reasonably practicable.

If the caseworker determines that Section 55(1) decision is positive support should continue. Where the decision is negative the applicant is no longer eligible for support and support should not be continued. There is no right of appeal against a negative Section 55 decision.

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### 4.2 Accommodation maintenance check

Where an applicant requests or informs of a move to private accommodation an Accommodation Maintenance Check must be carried out. This will help to identify whether the accommodation is in actual fact private and not a commercial property. However, caseworkers must remember that they have a duty to ensure that any person who is eligible for support is not left destitute.

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#### 4.2.1 Discrepancies in the new address provided by the asylum seeker

There will be occasions when the new address cannot be updated. Some reasons for this are (the list is not exhaustive):

- The address is listed as a commercial property; in which case the caseworkers should send letter SB1 to request a utility bill as proof of the address.
- A system check shows that the new address is a block of flats, but the applicant has not advised the flat number; caseworkers should send letter SB1 to establish the correct address.
- The house number does not show on the address database. caseworker should send letter SB1 to request a utility bill as proof of the address;
- An address is shown as asylum support accommodation when they are actually private. In these cases caseworkers should contact the data loading team for clarification.

Copies of all correspondence received from and sent to the applicant must be kept on file.

Once the request has been approved and the applicants have arrived at their new accommodation see: [Actions following a relocated person's arrival in the new property](#). For further necessary actions

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# Chapter 5 - Document Control

## Change Record

Version	Author	Date	Change made
1.0	MM	22/02/07	New web style implemented and support processes incorporated
2.0	BF	30/10/08	Update branding only
3.0	GL	24/07/14	Rebranding and reformatting unlink letters
4.0	GL	14/01/15	Updated formatting and general housekeeping.

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