

# Homes for Ukraine: Ukraine Permission Extension scheme - guidance for councils

Guidance for councils supporting guests who hold (or previously held) Homes for Ukraine permission and have applied, or will be applying, for permission under the Ukraine Permission Extension (UPE) scheme.

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### Who is this guidance for?

This guidance is aimed at councils supporting guests who hold (or previously held) Homes for Ukraine permission and have applied, or will be applying, for permission under the Ukraine Permission Extension (UPE) scheme.

The devolved governments of <u>Scotland</u>, <u>Wales</u> and <u>Northern Ireland</u> have also published their own guidance.

# What is Ukraine Permission Extension (UPE)?

In February 2024, the Home Office announced that Ukrainians and their eligible family members in the UK who have already been granted permission under one of the other Ukraine Schemes would be able to apply for the UPE scheme before their existing permission expires.

The UPE scheme will continue to offer temporary sanctuary to Ukrainians and their eligible family members, and will:

- provide up to 18 months permission to remain in the UK
- provide the same entitlements to work, study, rent and receive benefits
- be free to apply for

The scheme opened for applications on 4 February 2025. Further information about eligibility and entitlements can be found in Home Office guidance: <u>Applying to the Ukraine Permission Extension scheme</u>.

To ensure that Ukrainians who are still in Homes for Ukraine sponsorship arrangements are supported as they transition to living independently, the government is extending thank you payments for 18 months to reflect the permission period granted under the UPE scheme. Sponsors/hosts will need to apply for thank you payments to continue when a guest's Homes for Ukraine permission expires. The eligibility criteria for payment are set out below. After this UPE period ends, thank you payments will discontinue.

There is separate guidance for guests and guidance for sponsors/hosts.

#### Guidance for councils

The Ukraine Permission Extension (UPE) scheme opened for new applications on 4 February 2025. Guests are able to apply when their current permission has 28 days or less remaining until it expires. For further information, see <a href="Ukraine Permission Extension">Ukraine Permission Extension</a> scheme information.

We recognise that councils may receive queries from guests or sponsors/hosts about the UPE application process or for an update on the progress of their application. MHCLG does not provide this information. Councils should use the guidance on 'Payment claims and checking visa permissions' below to direct guests and sponsors/hosts to the correct sources of information.

#### Thank you payments

Councils can pay thank you payments to sponsors/hosts of guests who were previously Homes for Ukraine permission holders during this 18-month UPE permission visa period, as long as all eligibility requirements are met.

A sponsor/host will be eligible where the sponsor/host has made a payment claim and the council is satisfied that:

- the guest was previously a Homes for Ukraine permission holder
- the guest and sponsor/hosts are not close family members

The council should also have reference to the sections below entitled <u>Accommodation suitability</u> and <u>Disclosure and Barring Service check</u> when considering if thank you payments should be made.

Only one thank you payment per residential address should be paid. This remains the case even if the property is occupied by an Homes for Ukraine permission holder and a UPE permission holder.

## Council tax and eligibility for thank you payments during UPE

Sponsors/hosts will not lose council tax discounts or exemptions as a consequence of hosting a UPE permission holder. Where a former Homes for Ukraine permission holder remains in sponsorship during their UPE permission, they will be disregarded for the purposes of council tax discounts, and any exemption applying to their accommodation will remain in place for as long as their sponsor/host is eligible for a thank you payment. The disregard and exemption will also apply where a sponsor/host remains eligible for thank you payments on the expiry of the Homes for Ukraine permission for up to six months.

To accurately apply the council tax disregard or exemption, local authorities will need to determine when a sponsor/host's eligibility for a thank you payments begins and ends. The criteria for eligibility for a thank you payment should be applied.

At the start of sponsorship, a sponsor/host becomes eligible for thank you payments on the day the guest has moved in. For example, if a guest moves in on 10 August, the host will become eligible for thank you payments on 12:01 on 10 August. The council must be satisfied that the sponsor/host meets the eligibility requirements for the scheme before payments are made (as set out above in the section above titled "Eligibility for thank you payments during UPE").

Hosts are eligible to receive £350 per month. Where a guest moves in part way through the month, local authorities can make pro-rata payments of less than £350 for the first month if they wish to. Alternatively, local authorities can top-up their first payment in line with their existing discretion to pay a higher thank you payment. The council's approach should be set out in local guidance.

Eligibility for thank-you payments might end because the sponsor/host no longer meets the eligibility requirements. For example, the guest has left, the guest has not secured UPE permission, or the council otherwise deems to host unsuitable.

Where a sponsorship arrangement comes to an end, eligibility for thank you payments ends as well. In many cases, an arrangement might end part-way through a month. If this happens, the sponsor/host remains eligible for thank you payments until the last day of the final one-month period for which it is payable. For example, if the sponsorship ends on the 10 August, the host will no longer be eligible for thank you payments at 12:00 on 01 September.

A guest may therefore continue to be disregarded for the purpose of council tax discounts for a short period after leaving the hosting arrangement whether a guest moves to alternative rented accommodation or is re-matched to a new host. This is because the original host might continue to be eligible for a thank you payment until the end of the month. In respect of a rematch, where a new sponsor/host is eligible for thank you payments, there may be no break at all in a guest's entitlement to council tax disregard. Local authorities are encouraged to provide a guests with evidence of an ongoing disregard entitlement, where requested. This will be particularly useful where a guest is moving across local authority boundaries.

#### Thank you payment grant

Councils can claim £350 a month per residential address by way of thank you payment grant for each payment legitimately made during UPE. Councils who wish to do so may top up the £350 thank you payment from the arrival tariff or other funding sources available but this is entirely at the discretion of the council. The council's approach should be set out in local guidance.

Payments will be made using the existing quarterly payment process on DELTA and further guidance on what constitutes a legitimate claim during UPE will be made available on the DELTA form.

#### Payment claims and checking visa permissions

Sponsors/hosts must make a new payment claim when their guest's Homes for Ukraine permission ends. This provides councils with an opportunity to make contact with the sponsor/host and confirm that the guest remains in residence and to apply the policy announced in October 2024 that close family members should no longer be entitled to thank you payments. Further information on a close family member can be found at Funding for councils: Homes for Ukraine.

Neither UK Visas and Immigration (UKVI) or MHCLG are able to provide councils with permission expiry dates.

If a guest has an eVisa, councils can view their permission expiry where a guest provides them with a share code.

The guest can provide councils with a share code by following <u>Check a tenant's right to rent in England: use their share code</u>. Once they have produced the 9-digit share code they can provide councils with this along with their date of birth. Confirmation of their permission, including the expiry date, can then be obtained by following <u>Check someone's immigration status: use their share code</u>.

This will only show their current permission so if the guest has already been granted permission under UPE, you will not be able to see whether they previously had permission under Homes for Ukraine. If this is the case, you should consult your own records to determine what permission the guest previously had.

Councils can follow instructions at: <u>Check a tenant's right to rent in England: use their share code</u>. If the guest cannot provide a share code or if councils need further information on checking options this can be found at: <u>Landlord's guide to right to rent checks</u>.

In preparedness, councils may want to proactively reach out to guests where a sponsor/host is in receipt of thank you payments to confirm the Homes for Ukraine visa permission expiry date and advise that hosts will be invited to reapply. The onus is on sponsors/hosts and guests to supply councils with the information they need to administer the thank you payment.

If there seems to be an error relating to the eVisa, councils can raise this with UKVI by calling 0300 790 6268. Please do not raise a JIRA ticket.

#### Assessing payment claims

Only guests who previously held permission under Homes for Ukraine attract thank you payments. Payments should not be made in respect of individuals who were granted permission after first applying through the Ukraine Family Scheme or Ukraine Extension Scheme routes. Please note that the guests eVisa will not show their previous permission once they are granted permission under UPE.

To establish whether a guest was previously a Homes for Ukraine permission holder, councils should first seek confirmation from locally held records and review any relevant historic records held on Foundry from when the guest was a Homes for Ukraine permission holder. If data is held by a different council because, for example, the guest originally arrived at a different council area, councils should reach out to the council where the guest arrived for confirmation of the guest's previous status. Councils have discretion on the type of evidence they use to determine a guest's previous permission status.

If, on balance, councils are satisfied that the guest applied via Homes for Ukraine, they should ask the guest and sponsor to self-certify. Councils can legitimately claim thank you payment grant in respect of these cases. Usual counter-fraud and debt collection practices apply as set out at <a href="Paying sponsors: Homes for Ukraine">Paying sponsors: Homes for Ukraine</a>.

MHCLG cannot provide information on a guest's previous permission status. Please do not raise a JIRA ticket.

#### Close family members

Sponsors/hosts whose guests are close family members and are currently in receipt of thank you payments will no longer be eligible for thank you payments once they make a new payment claim. This is in line with the changes we made for new applications for thank you payments from 1 October 2024: <a href="Funding for councils: Homes for Ukraine">Funding for councils: Homes for Ukraine</a>. Please note that sponsors/hosts who do not have British, Irish or settled status in the UK can receive thank you payments during UPE as long as other eligibility criteria are met.

The definition of close family members refers to any of the following: spouses, civil or unmarried partners, parents, parents-in-law, sons or daughters, sons or daughters-in-law, step-sons or step-daughters, siblings, grandparents or the spouses, civil or unmarried partners or any of these people. For unaccompanied minors, this also includes an aunt or uncle of the child.

For further information please see the rematching section

#### Late applications to UPE

Applications can be made when a guest's current permission has 28 days or less remaining until it expires and should be made before their current permission expires. If the UPE application is made on time, then the applicant's rights and entitlements will continue while the Home Office makes a decision about their UPE application.

If the application is late (submitted after the date of expiry of their current permission), even if the application for UPE is successful later, the applicant will lose their <u>recourse to public funds</u>, which includes entitlements to work, study, rent and benefits, until a decision is made. The applicant will be required to repay any benefits that are paid during this period. For further information on homelessness assistance see <u>Homelessness code of guidance for local authorities - Chapter 7: Eligibility for assistance</u>.

## Thank you payments whilst UPE applications are being decided

Guests who have submitted a valid application to UPE before the expiry of their current permission continue to have recourse to public funds whilst their application is being decided. The Home Office aim to make a decision on applications within 8 weeks. We do not want guests whose application is submitted late, or is delayed for any reason, to be at risk of homelessness or for sponsors/hosts to unnecessarily have a break in thank you payment whilst a visa application is being decided.

Councils can therefore make thank you payments where they are satisfied that the guest has applied for their UPE permission but has not yet been granted. This also applies to late UPE applications. The guest should confirm with the council that they have been granted their permission as soon as they receive it.

If councils have not received confirmation from the guest that the UPE visa has been awarded after six months after the sponsor/host claimed for UPE thank you payments, councils should cease making thank you payments and review the situation with the guest and sponsor/host. If councils establish that a guest had been denied UPE permission and you have over-paid thank you payments to a sponsor/host, you should cease making thank you payments. We do not want hosts who have generously offered sponsorship to be disadvantaged in these circumstances councils should continue to treat the host as if they are eligible for thank you payments until immediately after the last day of the final one-month period. You do not need to seek to recover overpayments in these circumstances.

MHCLG is not able to provide councils with information about the status of the guest's application. Please do not raise a JIRA ticket. Councils will not find information on UPE application or permission granted on Foundry (other than for Eligible Minors - see section Eligible minors on Foundry).

#### Application refusals or rejections

Guests whose UPE visa applications are refused or rejected by UKVI will have no further recourse to public funds in the UK. Sponsors/hosts of guests whose permission is refused or rejected by UKVI should not receive thank you payments. Councils can review the guest's status by following the instructions in the 'Payment Claims' section earlier in this guidance.

MHCLG is not able to provide councils with information about the status of the guest's application or permission status. Please do not raise a JIRA ticket.

If a guest requires immigration advice, they should be directed to: <u>Find an immigration</u> adviser: Search for an adviser.

#### Accommodation suitability

Councils are not required to undertake an accommodation check before issuing a sponsor/host with thank you payments under UPE, but payments should not be made where councils become aware that:

- the guest is paying rent
- the guest is working for the sponsor/host or providing services in lieu of rent
- the accommodation would not meet the minimum statutory expectation for housing as set out in the Housing Act 2004

Councils may consider any other factors that they deem relevant including those set out in <u>Accommodation checks: Homes for Ukraine</u> enabling flexibility at a local level to deal with individual cases on their merits. The council's approach should be clearly set out in their local guidance.

If councils deem accommodation to be unsuitable, they should cease thank you payments and support guests to find alternative accommodation.

#### Disclosure and Barring Service check

There is no expiry date on Disclosure and Barring Service (DBS) criminal record checks. It is up to those using the check for safeguarding purposes, to decide if they will accept an existing certificate. If it has been 3 years or more since a DBS check was carried out by the council on the sponsor/host and members of the sponsor/host's household, councils can apply for a new DBS certificate if they choose to. This might be appropriate where there is a child or vulnerable adult guest living with a sponsor/host. Councils should consider which type of check based on guidance set out by the <u>Disclosure and Barring Service</u>.

Where a safeguarding concern arises, the council should consider the sponsorship arrangement to have ended. Sponsor/hosts will no longer be entitled to thank you payments in line with the section above titled <a href="https://example.com/Thank.ou

# Safeguarding concerns identified during the application process

The Home Office have a duty, under section 55 of the Borders, Citizenship and Immigration Act 2009 to have a regard to the need to safeguard and promote the welfare of children in the UK when discharging their immigration functions.

As is the case for all in country immigration applications for children, if, on receipt of a UPE application, the Home Office have reason to be concerned about a child, they will make a referral to the council where the child's residence is located. This could be because they suspect a child is in a private fostering arrangement, they are concerned that a child has

suffered or is likely to suffer significant harm, or they want to provide information about a child with additional or complex needs.

On occasion, the Home Office will refer children that the council (and multi-agency partners) may need to be aware of, for councils to consider whether the child needs early help or a longer-term intervention. This referral will usually be sent by email to the council's multi-agency safeguarding hub, or equivalent. On receipt, councils should consider their duties under <a href="Working together to safeguard children 2023: statutory guidance">Working together to safeguard children 2023: statutory guidance</a> in England, and equivalent guidance in other areas in the UK, as they would with any other referral made to them by the Home Office regardless of immigration route.

Issuance of UPE permission is not contingent on council checks. Therefore, councils do not need to raise safeguarding concerns with MHCLG or UKVI. Statutory safeguarding and housing duties and procedures apply.

#### Rematching

Where councils have sponsors/hosts available, rematches can be offered to UPE permission holders as long as they were Homes for Ukraine permission holders before applying to the UPE scheme and where councils assess there is a material risk that the council would otherwise have to accept a homelessness duty.

Thank you payments are payable unless there is a close family relationship between sponsor/host and guest. New rematch hosts can receive thank you payments even if they are not British or Irish citizens or have settled status (except for those who are also close family members). Thank you payments can be made in respect of self-rematches during UPE, but only if the council is satisfied that a homelessness duty would otherwise have arisen and was prevented by the rematch.

If councils agree a rematch, they should carry out the same package of checks and processes as if the guest had permission under Homes for Ukraine including creating a sponsor profile on Foundry. This includes undertaking enhanced DBS with barred list checks where there the guest is a child or vulnerable adult. These expectations are set out at Rematching and the council's role: Homes for Ukraine.

#### Leaving sponsorship during UPE

If a guest leaves sponsorship during UPE, you should record the reason on Foundry in the same way as you would during Homes for Ukraine.

### **Eligible minors**

This section explains how <u>eligible minors</u> can extend their stay by applying to the Ukraine Permission Extension scheme (UPE), and the role of the council in continuing to support them.

In this guidance, an eligible minor is defined as a child or young person who has travelled to the UK without a parent or legal guardian and had their permission granted under the Homes for Ukraine eligible minors' scheme. It also includes minors who were identified as being in the UK without a parent or legal guardian after arrival and have been reclassified as a minor after arrival whilst they held Homes for Ukraine scheme permission.

The devolved governments of <u>Scotland</u>, <u>Wales</u> and <u>Northern Ireland</u> have also published their own guidance.

#### UPE and eligible minors

Children in the UK with permission under one of the Ukraine schemes will be eligible to apply to UPE. This includes <u>eligible minors</u> with Homes for Ukraine permission who are still living in sponsorship arrangements.

#### When to apply

The scheme opened for applications on 4 February 2025. Children including eligible minors are able to apply when their current permission has 28 days or less remaining until it expires. It is important that the child knows the date when their current permission will expire so that they can apply to UPE on time.

For eligible minors, councils may wish to remind the adult with day-to-day caring responsibility that they should help the child to apply on time. Applicants must have their own UKVI account. Where a child under the age of 18 is unable to create and manage their own account, a guardian can do this for them instead – for example, the adult with day-to-day caring responsibility, or the council if the child is in your care. Councils can read more about creating a UKVI account for a child.

#### How to apply

Information about how to apply including requirements for children living with another adult who is not a parent, legal guardian or close relative can be found at <u>Applying to the Ukraine Permission Extension scheme</u>.

#### Late applications

If the UPE application is made on time, then the child's rights and entitlements will continue while the Home Office make a decision about their UPE application. If the

application is late (submitted after the date of expiry of the child's current permission), even if the application for UPE is successful later, the child will lose their current entitlements (including the right to study and benefits) from the expiry of their existing permission until a decision is made on the late application. The guest may be required to repay any public funds (for example, certain benefits) that are paid to them during this period.

#### Safeguarding arrangements for permission issuance

The Home Office have a duty, under section 55 of the Borders, Citizenship and Immigration Act 2009 to have a regard to the need to safeguard and promote the welfare of children in the UK when discharging their immigration functions.

As is the case for all in country immigration applications for children, if, on receipt of a UPE application, the Home Office have reason to be concerned about a child, they will make a referral to the council where the child's residence is located. This could be because they suspect a child is in a private fostering arrangement, they are concerned that a child has suffered or is likely to suffer significant harm, or they want to provide information about a child with additional or complex needs.

The Home Office will refer children that the council (and multi-agency partners) may need to be aware of, for councils to consider whether the child needs early help or a longer-term intervention. This referral will usually be sent by email to the council's multi-agency safeguarding hub, or equivalent. On receipt, councils should consider their duties under <a href="Working together to safeguard children 2023: statutory guidance">Working together to safeguard children 2023: statutory guidance</a> in England, and equivalent guidance in other areas in the UK, as they would with any other referral made to them by the Home Office regardless of immigration route.

#### Eligible minors on Foundry

Where the permission relates to an eligible minor, UK Visas and Immigration will also update the eligible minor's record with the visa status on Foundry once an application has been decided.

Further information on an eligible minor's application for UPE permission can be viewed using the View and Prove Service. MHCLG is not able to provide councils with information about the status of the guest's application. Please do not raise a JIRA ticket.

#### Ongoing council responsibilities

Eligible minors with UPE permission who remain in sponsorship will continue to require support from the council. Once the UPE permission has been issued, councils should therefore continue to visit eligible minors and their responsible adult/sponsor in line with the <u>guidance for private fostering</u> (i.e. at intervals of not more than 6 weeks for the first year of the private fostering arrangement, and at intervals of not more than 12 weeks in subsequent years – until the child turns 18). This includes in cases where a child is 16 or 17.

Councils may wish to consider renewing the Enhanced DBS (with checks of children's and adults' barred lists) for all members of the sponsor's household aged 16 years and over, if the checks are older than 3 years.

#### **Funding**

Councils can only claim the Homes for Ukraine scheme local authority tariff payment grant during UPE if the child is an eligible minor in sponsorship. This means:

- the child entered the UK with Homes for Ukraine permission
- the child travelled to the UK without a parent or legal guardian and had their permission granted under the Homes for Ukraine eligible minor's scheme or
- the minor was identified as being in UK without a parent or legal guardian after arrival and
- all safeguarding checks as set out at <u>Homes for Ukraine: Guidance for councils</u> (children and minors applying without parents or legal guardians) were successfully completed by the council and marked as such on Foundry and;
- all checks must have been completed when the child was on a Homes for Ukraine visa

This is so that MHCLG is assured that the child is in a Homes for Ukraine sponsorship arrangement and the required safeguarding checks have been successfully completed. A child who is not in a Homes for Ukraine sponsorship arrangement that fulfils the requirements set out above when they apply for the UPE is not an eligible minor.

The Homes for Ukraine scheme local authority tariff payment grant available for councils during UPE is as follows:

£6,100 per annum for the duration of the eligible minor's UPE permission;
councils can claim for the whole year in years where a child's visa is ending mid-year

#### Thank you payments

Sponsors/hosts of those previously holding Homes for Ukraine permission (including eligible minors) can apply for thank you payments of £350 a month, for the 18 months that eligible minors are covered by the UPE permission. Some councils may pay more in certain circumstances but this it at the council's discretion. Local arrangements should be set out in council guidance.

When an eligible minor's Homes for Ukraine permission expires, their sponsor should be invited to make a new payment claim. For more information on thank you payments, please refer to the main scheme guidance at <a href="Funding for councils: Homes for Ukraine-GOV.UK">Funding for councils: Homes for Ukraine-GOV.UK</a>. Thank you payments should not be made to close family members.

#### Reclassifications

A child cannot be reclassified as an eligible minor during their UPE permission. Any new unaccompanied minors found to be in the UK without a parent or legal guardian should be treated in line with the council's statutory safeguarding duties, including <a href="Working together to safeguard children 2023: statutory guidance">Working together to safeguard children 2023: statutory guidance</a> in England.

Eligible minors funding will not be payable where a child is identified as unaccompanied when applying for permission under UPE or identified as unaccompanied after UPE permission has been granted.

#### If a sponsorship arrangement breaks down

Should a sponsorship arrangement break down for a child during UPE, and a parent or legal guardian cannot be reached or cannot identify another suitable sponsor for their child, or make alternative arrangements, then the council will need to take further action in line with their statutory duties which could include accommodating the child under Children Act 1989 powers or taking the child into care.

Where an eligible minor's sponsorship arrangements break down after arrival in the UK, and the minor is placed in the care of the council, funding will be provided at a rate of £64,150 per minor per year for the duration of their stay under UPE permission, pro-rated at a weekly rate. When that child leaves care, funding will be provided at a rate of £16,850 a year, per care leaver.