



Home Office

# Failure to travel to Asylum accommodation

Version 1.0

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# About this guidance

This guidance advises caseworkers and asylum accommodation providers on how to apply the failure to travel policy. This is tailored to single adults receiving asylum accommodation and subsistence support under section 95 or section 4(2) of the Immigration and Asylum Act 1999 (“the 1999 Act”). It applies to those who are already living in hotel asylum accommodation and who are being moved to dispersal asylum accommodation by the Home Office, but the individual fails to comply with this move.

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors, then email the Asylum Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Review, Atlas and Forms team.

## Publication

Below is information on when this version of the guidance was published:

- version **1.0**
- published for Home Office staff on **25 July 2025**

## Changes from last version of this guidance

This is the first version of the policy guidance.

### Related content

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Allocation of accommodation

Conditions of support

Healthcare needs and pregnancy dispersal

### Related external links

[Asylum support \(asylum instructions\)](#)

[The Immigration and Asylum \(Provision of Accommodation to Failed Asylum-Seekers\) Regulations 2005](#)

[The Asylum Support Regulations 2000](#)

[The Asylum Support \(Amendment\) Regulations 2005](#)

[Immigration and Asylum Act 1999](#)

[The Asylum Support \(Amendment\) Regulations 2000](#)

[Borders, Citizenship and Immigration Act 2009](#)

[Nationality, Immigration and Asylum Act 2002](#)

# Introduction

This document provides guidance to caseworkers and accommodation providers on the following:

- actions to take before moving an individual to their allocated dispersal asylum accommodation
- approach to consideration of representations regarding accommodation needs
- actions to take following a first and a second failure to travel

For the purposes of this guidance, unless otherwise specified:

- **“asylum support”** refers to support provided under sections 95 or 4(2) of the 1999 Act - this guidance does not apply to those in receipt of section 98 support under the 1999 Act
- **‘supported individual’ or ‘individual’** refers to those individuals with no dependants for whom support is provided under section 95 or 4(2) of the 1999 Act
- **“accommodation”** refers to Home Office housing provided under sections 95 or 4(2) of the 1999 Act
- **“hotel”** refers to initial or contingency asylum accommodation in a hotel style setting, provided by the Home Office

## Policy intention

Due to the pressures on the asylum support system, the government is committed to reducing the number of people on asylum support, particularly in hotel accommodation given its high cost and the need to deliver value for money for the taxpayer. The government’s long-term objective is to reduce the overall numbers in the asylum system and of those requiring support, principally through more efficient asylum decision-making. However, where an individual’s claim is being considered and they would otherwise be destitute, the Home Office aims to accommodate them in better value for money, more sustainable, non-hotel dispersal accommodation.

The overriding principle of asylum accommodation is that it is offered on a ‘no choice’ basis. However, there is a large number of people in receipt of asylum support who do not comply with moves to dispersal accommodation which is being offered. Their failure to travel to appropriate accommodation impacts the overall efficiency of the asylum support system by delaying the utilisation of available properties and undermining efforts to reduce the population in asylum hotels. This policy is therefore being introduced as part of the measures to reduce reliance on hotel accommodation and tackle abuse of asylum support.

This policy is focused primarily on those who fail to travel from hotel accommodation to dispersal accommodation. Dispersal accommodation is broadly defined as longer-term asylum housing, such as houses or flats in local communities. This may be single or multiple occupancy properties. The Home Office does not allocate accommodation on the basis of support type; recipients of section 95 and section 4

support can be allocated to any type of asylum accommodation that is deemed suitable for their needs.

The Home Office aims to ensure that all available asylum accommodation is used efficiently and in line with the strategic objectives of the asylum support system. While it is recognised that longer stays in temporary accommodation may lead to individuals establishing local ties, the effective use of available properties remains a priority. This includes rebalancing the supported population across the UK, particularly by reducing reliance on hotel accommodation in London and the south-east. This approach supports the original intent of the Immigration and Asylum Act 1999, which envisaged the use of dispersal accommodation outside high-demand regions to ease pressure on local services and promote a more equitable distribution of supported individuals.

In considering requests to be allocated, or not to be allocated, accommodation in a specific type of accommodation or specific location, caseworkers and providers must consider whether there are exceptional circumstances that make it appropriate to agree to the request. All requests for a specific type of accommodation or accommodation in a particular location are assessed on a case-by-case basis and may include serious health, safety, or security concerns. In exceptional instances, the strength of these circumstances may justify a departure from the general no choice basis of allocation to asylum accommodation. These circumstances and principles are set out in the allocation of accommodation policy which must be read alongside this policy guidance.

Support applicants and recipients are encouraged, often with support from voluntary sector partners, to share information and evidence with the Home Office of any accommodation needs. This includes sharing any relevant information on their ASF1 support application form or informing the Home Office via Migrant Help of any changes to their circumstances or accommodation needs. For example, an individual may require accommodation in a specific area due to ongoing specialist medical treatment. Such requests are considered on a case-by-case basis in line with the allocation of asylum accommodation policy guidance.

In practice, a failure to travel constitutes a breach of the conditions of asylum support which require an individual to reside at an authorised address. Under this policy, a failure to travel to allocated accommodation does not result in the immediate discontinuation of support. Instead, the initial step is to establish the reasons for the failure as set out within the [action following first failure to travel](#) and [action following second failure to travel](#) sections.

This guidance should be read alongside the conditions of support guidance.

## Pregnancy

The policy does not apply to pregnant women. Dispersal arrangements may still be made for women who are not in the late stages of pregnancy. However, in such a situation, failure to travel will be considered on a case-by-case basis. Dispersal arrangements would not, outside of exceptional circumstances, be made for a pregnant woman in the late stages of pregnancy. Where the Home Office are

already aware that a woman is pregnant and they fail to travel, the policy would not apply. Where a pregnancy is raised for the first time in representations made under the policy, this would need to be accompanied by evidence, for example a letter from their treating clinician or a MATB1 form. This guidance should be read alongside the healthcare needs and pregnancy dispersal guidance.

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# Legislation

The Secretary of State has the power to provide accommodation and / or subsistence support to individuals seeking asylum in the UK, as well as to certain individuals whose asylum claims have been refused or those whose claims are deemed inadmissible. This support is provided under the Immigration and Asylum Act 1999 and is intended to prevent destitution while individuals await the determination of their asylum claim or make arrangements to leave the UK.

[Section 97\(3A\) of the Immigration and Asylum Act 1999](#) sets out the matters which can form the basis on which asylum seekers, failed asylum seekers and those whose claims are declared inadmissible, who are in need of support can be provided with different types of accommodation. There is no obligation to provide a specific form of accommodation. The accommodation provided to asylum seekers and failed asylum seekers may be linked to the progress of their claim, appeal, or their compliance with the rules.

Section 97(2)(a) of the 1999 Act and [regulation 13 of the Asylum Support Regulations 2000](#) require us to have no regard to an asylum seeker's "personal preference as to the nature of the accommodation to be provided". Although this provision does not apply to section 4(2) recipients, as a matter of policy and operational practice, the no choice principle is extended to section 4(2) recipients in line with the allocation of accommodation guidance. This ensures consistency across support types and reinforces the focus on objective needs rather than personal preferences. However, whilst the Home Office are not obliged to have regard to an individual's preferences on the location and nature of accommodation, the Secretary of State is obliged to consider the individual circumstances of each applicant, including their objective needs and any family ties (*R (Hetoja) v Secretary of State for the Home Department* [2002] EWHC 2146 (Admin)) – although these are distinct from personal preferences.

The need to safeguard and promote the welfare of children in the UK has been considered. In line with consideration of [section 55 of the Borders, Citizenship, and Immigration Act 2009](#), the policy will not currently be applied to children who are under the age of 18, including where they are part of a family group. As such, the policy is only applicable to single adults.

## Notification of conditions of support

Asylum support under sections 95 and 4(2) of the 1999 act is provided on the basis that the individual and any dependants they have adhere to the terms and relevant conditions attached to that support.

The relevant conditions of support are provided in writing to individuals when they are granted asylum support. A breach of the relevant conditions of support may lead to a suspension or discontinuation of support.

## Section 95

Section 95 support is provided on the basis that the individual complies with the conditions of support, which are issued in writing at the point support is granted, in accordance with section 95(10) of the 1999 Act.

The regulatory framework for the conditions of section 95 support and the context in which support can be suspended or discontinued is set out in the [Asylum Support Regulations 2000](#). Specifically, regulation 20(1)(k) allows support to be suspended or discontinued if the individual fails, without reasonable excuse, to comply with a relevant condition of support. One of the relevant conditions of section 95 support is complying with any travel arrangements made for the supported person, including moving to another property.

Under [regulation 19\(2\) of the Asylum Support Regulations 2000](#), 'a relevant condition' is one which makes the provision of asylum support subject to actual residence by the supported person or a dependant of his for whom support is being provided in a specific place or location.

## Section 4(2) support

Support under section 4(2) of the 1999 Act is available to failed asylum seekers and individuals whose asylum claims are declared inadmissible under sections 80A or 80B of the [Nationality, Immigration and Asylum Act 2002](#).

Conditions of support under section 4(2) are governed by regulation 6 of the of the [Immigration and Asylum \(Provision of Accommodation to Failed Asylum-Seekers\) Regulations 2005](#). Regulation 6(2) specifies that these conditions include a requirement to reside at an authorised address. In practice, this means compliance with moves to a new authorised address.

Failure to comply with the conditions of support may result in support being discontinued. For more information see the conditions of support.

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# Actions before a move to dispersal accommodation

## Dispersal move process

As part of the dispersal process, individuals with specific health or welfare needs are allocated asylum accommodation, with their circumstances carefully considered during the allocation of dispersal accommodation process. For instance, if a ground floor property is required due to mobility issues, this will be taken into account during the initial placement, in line with the healthcare needs and pregnancy dispersal policy and the allocation of accommodation policy.

## Process for notifying individuals of dispersal

Where an individual has been identified for a move to dispersal accommodation, they will be issued a notice of dispersal letter. This formal notification will inform them of the requirement to move and provide key details about the dispersal move.

The letter will:

- confirm that the individual has been allocated dispersal accommodation and provide detail of the region of the accommodation
- specify the date of the move
- reiterate the conditions of asylum support and that any failure to travel is a breach of these conditions

The notice of dispersal letter will be issued at least 5 calendar days before the scheduled move date. It is expected that individuals will comply with the dispersal move as directed.

Further details about the relocation process, including transport arrangements and arrival instructions, will be provided separately by the accommodation provider.

Before the notice of dispersal is issued, accommodation providers will have already briefed the individual on the relocation process and provided key information about the dispersal accommodation. This ensures that individuals are aware of what to expect and are supported in preparing for the move.

If an individual has exceptional circumstances that affect their ability to travel on the arranged date, they must inform the accommodation provider as soon as possible. This will allow alternative travel arrangements to be considered where appropriate. Exceptional circumstances may include but are not limited to a court appearance scheduled close to their dispersal move date, a hospital appointment, or another essential medical engagement.

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# Actions following a first failure to travel

## Process following first failure to travel

Where an individual fails to travel to their allocated dispersal accommodation on the scheduled date, this is likely to be treated as a first failure to travel.

The service provider must first carry out a safeguarding check to determine whether there were any exceptional circumstances that prevented the individual from moving. This assessment must be made on a case-by-case basis. Exceptional circumstances do not include not wanting to move or thinking that the dispersal accommodation would not meet their needs. If an individual believes that the proposed accommodation is unsuitable, they must provide supporting evidence through the representations process, which is the appropriate channel for sharing information on this.

Following the safeguarding check, if there are no known exceptional safeguarding concerns, the individual must be issued with a failure to travel letter to submit representations. This letter must clearly state that the individual:

- failed to travel to the location on the date specified
- must now provide information about their accommodation needs, with supporting evidence, within 5 working days to be considered in line with the allocation of accommodation policy and healthcare needs and pregnancy dispersal guidance, these are referred to as 'representations'
- will be given a revised move date once the representations have been considered
- must comply with a second move, noting the potential consequences of a second failure to travel, including the potential of eviction and discontinuation of support

## Representations on relocation to the dispersal accommodation

Representations must be made within 5 working days from the date the representations letter is sent. They must be directed to the Home Office using the contact details provided in the letter.

Representations will be considered by caseworkers on a case-by-case basis and in accordance with the allocation of accommodation guidance and healthcare needs and pregnancy dispersal guidance.

Representations must be made in reference to all accommodation needs that an individual has which they consider may impact on the type or nature of accommodation they could be allocated to and the region where they may be accommodated.

Representations should not be made only with reference to the location or nature of the first dispersal property they were offered in their first notice of dispersal. The second dispersal property they are offered may be different in location or nature and therefore individuals must provide information about all of their accommodation needs to be considered by caseworkers.

Representations will be considered as soon as possible, noting any exceptional circumstances which may impact on caseworkers' timelines for consideration.

## Decision on the representations

Where required, caseworkers should refer information to the Home Office asylum support medical adviser and / or the Home Office psychiatrist for their expert opinion. The medical adviser and psychiatrist do not make the final decision on allocation of accommodation; however, they can provide expert advice to be considered by caseworkers when making allocation decisions.

Caseworkers should make one of the following decisions on representations:

- **no valid grounds identified:** The individual has not provided sufficient evidence to support acceptance that their claimed accommodation needs should override the no choice basis of the policy, they are thus considered suitable for dispersal accommodation (note that this decision does not relate to the original property offered, which may no longer be available; it confirms that the individual can be relocated to a suitable alternative dispersal accommodation)
- **valid grounds identified – needs accepted:** The individual has demonstrated specific needs that affect the type or location of accommodation they can be allocated to, in these cases, one of the following actions may be taken:
  - the individual cannot currently be relocated due to exceptional circumstances (for example, hospitalisation)
  - the individual will be offered dispersal accommodation in a different region or property type that meets their accepted needs (for example, ground floor, proximity to medical services)
  - the individual will be moved to local dispersal accommodation if this is necessary and possible to maintain continuity of essential services (for example, ongoing medical treatment)
- **further information** is required from the individual before a decision on suitability can be reached

The outcome of the representation will be communicated to the individual in writing. This will include:

- the decision made and the rationale
- next steps in the process, including the implications of a second failure to travel

No move will be scheduled until all relevant information has been considered. The second offer of dispersal accommodation will only be made once the representation process is complete.

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# Typical representations scenarios

This section covers various scenarios that may arise when considering representations that are received. These scenarios are not exhaustive, and caseworkers should always consider representations and individual circumstances on a case-by-case basis. Caseworkers should take into account where they consider an individual is attempting to frustrate a move to dispersal accommodation, including in the circumstances below.

## Late representations

If an individual makes late representations beyond the 5 working day timeframe given, these should generally not be accepted unless there is verifiable expert or professional evidence of exceptional circumstances that prevented the individual from making representations within the 5 working day period.

These exceptional circumstances, which will be considered on a case-by-case basis, include but are not limited to:

- a serious medical emergency for the individual themselves which rendered them incapable of making representations
- the bereavement of a close family member currently with the individual in the UK and in the 2 weeks prior to receiving the representations letter or during the representations period

## Extension requests

If an individual requests an extension to the 5 working day timeframe to make representations, this should not generally be accepted unless there is verifiable expert or professional evidence of exceptional circumstances that prevented the individual from making representations within the 5 working day period.

These exceptional circumstances, which will be considered on a case-by-case basis, include but are not limited to:

- a serious medical emergency for the individual themselves which rendered them incapable of making representations
- the bereavement of a close family member currently with the individual in the UK in the 2 weeks prior to receiving the representations letter or during the representations period

## Multiple representations

Individuals are required, where possible, to make one representation only. It is their responsibility to ensure that their documents and evidence for all accommodation needs are complete and are sent to the Home Office in one go. All representations will be reviewed by caseworkers, but where multiple representations contain

information which has already been received and responded to by the Home Office, it will not be responded to by the Home Office again.

Further representations will be considered but will only be taken into account where they fundamentally alter an issue raised in the original representations, and where exceptional circumstances prevented the points from being raised earlier (for example, because a medical diagnosis of a relevant medical condition was received only after the first set of representations had been made).

There are exceptional circumstances where multiple representations may be considered, on a case-by-case basis. These exceptional circumstances include, but are not limited to:

- a medical emergency for the individual themselves which has the effect of preventing the individual from submitting all representations in the first instance
- the bereavement of a close family member currently with the individual in the UK in the 2 weeks prior to receiving the representations letter or during the representations period

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# Post-representations: second offer of dispersal accommodation

Once the representation process is complete and a decision has been made that an individual can be relocated, they will be issued a final notice of dispersal letter, which encloses a notice to quit letter. This will include:

- a revised move date
- details of the region of the second dispersal accommodation being offered
- reiterating the consequences of failing to travel for the second time

This second dispersal property will meet any accommodation needs which have been accepted under the representations process.

This second offer represents a final opportunity for the individual to comply with the relocation process before eviction. No further representations will be accepted at this stage, as all relevant evidence has already been considered.

## Notice to quit

[Regulation 22 of the Asylum Support Regulations 2000](#) states that an individual's licence is to be treated as ending when the individual is given not less than 7 days' notice. Less than 7 days' notice may be given if the circumstances of the case are such that a shorter notice period is justified.

In cases where a second property is offered, the notice to quit letter will be issued alongside the final notice of dispersal letter. Once the notice period set out in the notice to quit letter has expired, the individual may be evicted from the property.

### **Applicability to section 4(2):**

There is no equivalent statutory provision to regulation 22 for individuals supported under section 4(2) of the 1999 Act. However, the notice to quit process will also apply to section 4(2) cases as it would be set in writing in accordance with the [post-representations: second offer of dispersal accommodation](#) section of this guidance.

This approach ensures consistency across both support types and provides individuals with a clear opportunity to respond before any eviction action is taken.

## Continued failure to travel

Where an individual fails to travel for a second time to their allocated dispersal accommodation, this is treated as a second failure to travel.

At this stage, it is considered that the individual has been given a reasonable opportunity to comply with the dispersal process but has failed to do so without valid justification. Caseworkers should follow the actions set out within the [actions following second failure to travel](#) section.



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# Actions following second failure to travel

## Evictions process

If an individual fails for a second time to comply with travel arrangements as part of their move to the second dispersal property, after being deemed suitable for that accommodation and following the expiry of their notice period, the accommodation provider will inform the Home Office. The Home Office will assess these records as soon as possible, considering any exceptional reason that the individual did not travel, and will instruct the accommodation provider to evict the individual from their current accommodation.

The accommodation provider will be asked by the Home Office to take steps to carry out an eviction as soon as reasonably practical and to remove the individual's access to that accommodation. If the individual remains in the accommodation after this eviction has taken place, they will be deemed to be a trespasser.

## 5 days hold on new accommodation

Following eviction, a bedspace will be held open for 5 calendar days. This may be in the same region where the second dispersal property was offered, depending on availability of accommodation.

The intention is to provide a final opportunity for the individual to comply.

If the individual wishes to take up this offer within the time period, they should contact the Home Office. The specific contact details will be provided to the individual in their final notice of dispersal letter.

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# Discontinuation of support

If the individual does not take up the offer of bedspace held open within the 5 calendar days following eviction, the Home Office will proceed to discontinue support. Caseworkers must do so in line with the conditions of support guidance.

The Home Office will take reasonable steps to notify the individual that their support has been discontinued in a discontinuation of support letter. This notification will explain that their persistent and unequivocal failure to comply with travel arrangements has resulted in discontinuation of asylum support.

## Right of appeal

Individuals supported under section 95 or section 4(2) have the right of appeal, under section 103 of the 1999 Act, against a decision to discontinue their asylum support because they have breached a relevant condition attached to the provision of that support.

The individual must be notified of their right of appeal at the time any such decision is made. This notification is included when the Home Office takes reasonable steps to inform an individual that their support has been discontinued.

The individual has 3 working days, beginning with the date on which they received written notice of the decision they are challenging, in which to submit an appeal to the Asylum Support Tribunal.

During this process, if suitable, the individual will be offered accommodation. This may not be provided in the region where the individual was originally accommodated and may instead be offered in an alternative region.

For further information on the appeals processes and the help that a supported person can get, refer to the published guide: [appeal an asylum support decision](#).

## Further applications for support

Where an individual submits a further application for support following a discontinuation of support, or following a dismissed appeal, steps should be taken in line with the conditions of support guidance.

Any further applications for support in these circumstances should not be used by individuals to frustrate attempts by the Home Office to move them to particular asylum accommodation.

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