

SCOPE

1. The UASC Leaving Care Costs Grant is intended to **assist** local authorities to meet care costs of supporting young people who were unaccompanied asylum seeking children (UASC) and who are now “former relevant children” within the meaning of section 23C(1) of the Children Act 1989. It is in addition to other sources of support that may be available to young people aged 18 or over and is a contribution to the Local Authority costs. It will not affect individuals’ entitlements to any other assistance.
2. This grant was previously (up to and including financial year 2007-08) funded by the Department for Children, Schools and Families. It has since then been administered by the UK Border Agency (UKBA).
3. The 2009-10 Grant will be allocated to authorities that have supported more than 25 full time equivalent (FTE) eligible care leavers. Payment will be made at a flat rate of £100 per week, per FTE care leaver (over the threshold of 25).

REIMBURSEMENT CRITERIA

4. In order for reimbursement to be made the young person must meet the following criteria:
 - (a) the young person was an unaccompanied asylum seeking child, and is now a “former relevant child” within the meaning of section 23C(1) of the Children Act 1989*;
 - (b) the local authority making the claim is the responsible authority in relation to the young person;
 - (c) the local authority making the claim is actually providing support and the young person has not moved away and/or lost contact;
 - (d) the young person’s immigration status is one of the following:
 - i. Refugee status
 - ii. Indefinite leave to remain
 - iii. Humanitarian protection
 - iv. Discretionary leave
 - v. Exceptional leave to remain
 - vi. Outstanding application to extend leave, provided the application was submitted before the expiry of that leave
 - vii. Outstanding appeal against refusal to extend leave, provided the appeal was submitted in time; and
 - (e) the young person is not disqualified from receiving care leavers’ support by Schedule 3 paragraphs 4 – 7(a) of the Nationality, Immigration and Asylum Act 2002.

*‘Former relevant children’ are defined in the relevant legislation as being aged 18-21 and having been either ‘eligible’ or ‘relevant children’. ‘Eligible children’ are aged 16 or 17 and are looked after by a local authority having been looked after for a qualifying period of at least 13 weeks from their 14th birthday. ‘Relevant children’ are aged 16 or 17 and have left care, having been ‘eligible children’ but have moved from care to more independent living arrangements. This is a summary: refer to The Children (Leaving Care) Act (England) Regulations 2001 for full details.

5. Note that although local authorities may be providing leaving care support for other care leavers from abroad, the Agency will only make a payment for leaving care costs in the above circumstances. Examples of cases where funding will not be provided are where the person’s

leave has expired (and an extension has been refused) and all their appeal rights are exhausted, or where the person has become a British Citizen.

6. A separate category of cases supported by local authorities – former UASC with an outstanding asylum claim – are funded by the Agency under different arrangements. For details see Policy Bulletin 29. Such cases are not eligible for funding under the arrangements set out in this Grant Instruction.

EXCLUSIONS

7. The following cases are specifically excluded:

- (a) Young people who, as children, arrived in the UK in the care of a parent or other adult, who by law or custom, has responsibility for the child, or who arrived in the UK alone but were subsequently living with a relative or family friend, even in the event of a subsequent breakdown of this situation.
- (b) Young people who have been separated from their parents as a result of a Section 9 ruling under the Asylum and Immigration (Treatment of Claimants, etc) Act 2004.
- (c) Young people who have the nationality of an EEA state.
- (d) Former UASC with an outstanding asylum claim, whom the Agency is paying the local authority to support (currently at the rate of £140 per week).

DATA RECONCILIATION AND PAYMENTS

8. Local authorities are required to complete a quarterly application for payment (Annex A), detailing supported days for each individual being claimed for. For this year only, the first payment application should be for the first two quarters. Application for payment summaries for the third and fourth quarters must clearly highlight any additions to the previous quarter. The Agency's grants team will reconcile this data with UK Border Agency records. It is the future intention of the Agency to make payments monthly, in line with grants paid for the support of UASC. For this financial year, the following timetable will apply:

Action	Date
Local authorities to submit application for payment, for April-September 2009	15 October 2009
The Agency to make payments on account for the first two quarters	November 2009
Local authorities to submit application for payment, for April-December 2009	15 January 2010
The Agency to make payments on account for the third quarter	February 2010
Local authorities to submit application for payment, for April 2009 - March 2010	15 April 2010
Local authorities to submit final claim (certification by Chief Finance Officer)	30 June 2010
The Agency to make final payment for 2009-10	July 2010

9. The quarterly application for payment must be received by the Agency by no later than the 15th of the month following the claim quarter; late returns will significantly delay payment. A first payment will be made for the period 1 April to 30 September 2009, referenced UASC LC 09/10 POA Mth6 and paid in November 2009. Failure to submit application for payment schedules on a quarterly basis may result in additional cases not being considered and/or grant payments to local authorities being withheld. Further payments will be referenced UASC LC 09/10 POA Mth followed by the month number in the financial year. Please advise your cashier's department accordingly.

10. Anomalies identified as a result of cross-checking with Home Office records will be notified to local authorities in order that they can be resolved. Payments will reflect the number (over 25) of agreed FTE former relevant children being supported for the period and any adjustments as a result of prior anomalies being resolved.

11. The Agency will automatically cease payments under this grant when a young person's appeal rights are exhausted.

12. Where any amount of grant has been paid in excess of the amount payable in accordance with these instructions, then such excess, as notified by the Agency to the authority, shall be repaid by the authority.

13. Throughout the year UK Border Agency UASC LA Grants Team staff will work with local authorities to ensure the accuracy of claims, thereby reducing the need for intensive audit at year-end, when it is envisaged that self-certification will be allowed for some local authorities. This will include visiting local authorities and carrying out random substantive checks of expenditure recorded. The UK Border Agency will audit claims and will need to see evidence of best practice and records maintained in line with recognised Accounting Standards.

14. All enquiries regarding status will be dealt with by the LA Comms Team within UK Border Agency. Their telephone number is 020 8760 4527.

CONTACT DETAILS

Contact details for the UASC LA Grants Team

UASCLAgrants@homeoffice.gsi.gov.uk

UASC LA Grants Team
UK Border Agency
Immigration Group
10th Floor
Block B, West Wing
Whitgift Centre
CR9 1AT

For queries relating to the submission of Annex B (final claim), please telephone 020 8604 6637. For other enquiries about this grant, please telephone 020 8760 3244.

ANNEXES

15. The annexes to this instruction are contained in an Excel spreadsheet with the following contents:

- Notes
- Annex A (Quarterly Claim)
- Annex B (Final Claim/Certification)
- Classifications (codes for nationality, local government accounts and ports)

Note that the format of the claim spreadsheets MUST NOT be altered.

RETURN OF CLAIMS

An electronic version of your final claim must be returned by the CBP portal (in accordance with the instructions which have been sent to CBP account users), plus a hard copy with wet signature to be returned by post.