



GRANT INSTRUCTIONS TO LOCAL AUTHORITIES

FINANCIAL YEAR 2009/10

UK BORDER AGENCY GRANT: UNACCOMPANIED ASYLUM SEEKING CHILDREN (UASC)

Immigration Group
Date of Issue: 21 August 2009
Version - Final

SCOPE

1. These instructions set out the arrangements for the payment of the UASC Grant for the financial year to 31 March 2010. They should be read in conjunction with the accompanying Excel file, which contains the relevant forms (Annexes A to F) and notes for their completion.

DEFINITION

2. This Grant sets out the conditions under which local authorities may claim reimbursement of the costs they incur in supporting and caring for unaccompanied asylum seeking children. An unaccompanied asylum seeking child is an individual who is under 18, has applied for asylum in his/her own right, is separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so. All supported children who satisfy these criteria may be included in a claim for reimbursement of support costs unless they fall into one or more of the exclusion categories listed below:

EXCLUSIONS

3. The following children are excluded:

- (a) Children who arrived in the UK in the care of a parent or other adult (e.g, a relative or family friend) who by law or custom has responsibility for the child.
- (b) Children who arrived in the UK alone but were subsequently living with a parent or other adult (e.g, a relative or family friend) even in the event of a subsequent breakdown of this situation.
- (c) Children 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. These children are not classified as UASC as the exclusions above apply.
- (d) Children who have the nationality of an EEA State – including those who have been granted British Citizenship.

Note:

- i. Children of UASC are not eligible for support under this grant as they are not asylum seekers, and are not themselves unaccompanied.*
- ii. Applicants who are receiving asylum support from UKBA are not eligible for UASC support in addition.*

EXCEPTIONAL CIRCUMSTANCES

- 4.
- (a) The UASC grant is not payable when an applicant is absent or in long term care (eg hospital or a young offenders' institute). A *maximum* of 28 days' grant may be payable after the start of the absence, where costs are incurred.

- (b) A *maximum* of 21 days will be payable (ie from the start of care) where an age assessment is conducted and the person is found to be over the age of 18.

DATA RECONCILIATION AND PAYMENTS

5. Local authorities are required to complete a certified **monthly** application for payment summary (Annex A), which details support days by each individual being claimed for. Application for payment summaries following the initial April 2009 claim must clearly highlight any additions to the previous month's application. The UK Border Agency UASC Grants Team will reconcile this data monthly with the UK Border Agency records.
6. For the avoidance of doubt, the April 2009 claim needs to be a new claim, and not simply a continuation of the March 2009 claim used in the 2008/9 financial year.
7. The monthly application for payment summary must be received by the UK Border Agency by no later than the 15th of the month following the claim month; late returns may significantly delay payment. Payments will be referenced "UASC Asylum 09/10 POA Mth" followed by the month number in the financial year. For example, the payment made for the period 1 April - 31st December will be referenced UASC Asylum 09/10 POA Mth 9. Please advise your Cashiers' department accordingly.

Failure to submit application for payment schedules on a monthly basis may result in additional cases not being considered and/or grant payments to local authorities being withheld.

We require monthly claims in order to minimise duplication of payments between local authorities and asylum support. If we do not receive a monthly claim (when we would expect to), we will advise your Director of Finance. If we do not hear from you for two months, we will also advise your Chief Executive.

8. In some cases it will be necessary to seek further information from local authorities - for example, where named individuals may not be eligible for funding under the terms of this Grant Instruction. Payments will reflect the number of agreed UASC in support for the relevant period with adjustments made at a later stage if the information obtained shows that the individuals do in fact meet the Grant terms. Payments will be made by BACS using the account details already held by the UK Border Agency for asylum support grant payments in previous years. If your bank details change you are to advise the UASC LA Grants Team immediately.
9. Payments made as a result of monthly claims are to be regarded as payments on account, which will be finalised when the final claim (see Annex B) is settled. Local authorities will be advised of the calculation of the amount paid and will have the opportunity to make representations if they believe that they have not received the funding they are entitled to under the terms of this Grant.
10. If local authorities become aware that the total payments received during the year are likely to differ significantly from the final claim (the lesser of £100,000 or 15% of the total claim across the year) they must advise the UASC LA Grants team as soon as possible.
11. The UK Border Agency will automatically cease payments under this grant the day before a child's 18th birthday.

12. Throughout the year UK Border Agency UASC 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. Details of audit requirements are shown in Annex E.

REIMBURSEMENT 2009/10

13. Local authorities may claim reimbursement according to the principles and timescales set out in the separate letter that accompanies these Instructions and in the following paragraphs.

14. Where, however, an individual local authority's costs are above those of neighbouring authorities, the local authority will be required to explain the basis of their costs, including their approach to procurement and provide details of action that they have taken to reduce their expenditure. This will need to be provided to a UKBA auditor.

1 APRIL 2009 TO 30 SEPTEMBER 2009

15. Reimbursement for the period to 30 September 2009 will be at the daily level agreed for FY2008/9 **or** the Local Authorities actual costs involved in looking after UASC – **whichever is the lower**. If you were previously in receipt of special circumstance payments we will discuss with you any additional costs that you have incurred. These additional costs need to be detailed on Annex D.

16. Any indirect costs should reflect volume changes and be moderated in accordance with the agreement made between UKBA and LGA/London Councils in 2008.

17. The daily grant rates as used in 2008/9 remain in place for 2009/10 – any Local Authorities who did not make a claim in previous years can claim at the daily rates or can claim their actual costs, whichever are the lower.

Category:	£ daily
UASC Under 16	£108.18
UASC 16/17	£48.45

1 OCTOBER 2009 – 31 MARCH 2010 -INDIRECT COSTS

18. For the FY 2009/10 a ceiling on the level of indirect costs will be introduced with effect from 1 October 2009.

The baseline for assessing these costs will be the 2005/6 information supplied to UKBA, with additional inflationary uplifts until 31 March 2009. Indirect costs can be claimed on the same moderated" basis as those explained in the Grant Instructions covering the financial year 2008/9

but with effect from 1 October 2009 to 31 March 2010, indirect costs will have a ceiling at the following levels:-

1. For UASC under 16 the **maximum** level of indirect costs claimable from UKBA will be **£35** per day, or the figure claimed at the end of FY2008/9 (adjusted for volumes on the moderated basis), or actual costs, whichever is the **lower**.
2. For UASC aged 16 to 17 the **maximum** level of indirect costs claimable from UKBA will be **£30** per day, or the figure claimed at the end of FY 2008/9 (adjusted for volumes on the moderated basis), or actual costs, whichever is the **lower**.

FY 2010/11 and FY2011/12

19. Authorities should be aware that with effect from 1 April 2010 UKBA intends to introduce a further lowering of the ceiling on indirect costs. It is expected that the levels will be reduced to:-

- For UASC under 16 the **maximum** level of indirect costs claimable from UKBA will reduce to **£30** per day from 1 April 2010 and **£25** per day from 1 April 2011.
- For UASC aged 16 and 17 the **maximum** level of indirect costs claimable from UKBA will reduce to **£25** per day from 1 April 2010 and **£20** per day from 1 April 2011.

1 OCTOBER 2009- 31 MARCH 2010 - DIRECT COSTS

20. For the period 1 October 2009 to 31 March 2010, each Local Authority will be able to claim 100% of their actual direct costs, at a daily rate level **no higher** than those claimed in FY 2008/9. UKBA will work with individual Local Authorities to look at the levels of direct costs, especially where there are substantial differences between neighbouring authorities.

21. Additionally, from 1 October 2009 UKBA will only reimburse the costs of placing and accommodating a child in a Residential Children's Home in exceptional circumstances.

ANNEXES

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

- Introduction and Contacts
- Notes – Annex A
- Annex A (Monthly Claim)
- Classifications
- Annex B (Interim)
- Notes – Annex B
- Annex B (Final Claim)
- Notes – Annex C
- Annex C (Indicative)
- Annex D (Additional Information)

- Annex E (Audit Guidelines and Guideline Pages 1-4)
- Annex F (Direct Support Costs)

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

THE MONTHLY CLAIM FORM – ANNEX A

23. The monthly claim form is the spreadsheet Annex A in the Excel workbook, where specific instructions are given for its completion.

THE FINAL CLAIM FORM – ANNEX B(INTERIM) AND ANNEX B(FINAL)

24. The final claim form is the spreadsheet Annex B in the Excel workbook, where specific instructions are given for its completion. An electronic version of your final claim plus back up information (i.e. general ledger) must be returned by the CBP portal by 30 June 2010, plus a hard copy with wet signature to be returned by post. An interim final claim form (Annex B Interim) covering the period to 30 September 2009 will need to be submitted by 31 December 2009. Enquiries about the use of the Collaborative Business Portal should be directed to Brian Andrews, telephone 020 8604 1891.

THE INDICATIVE CLAIM FORM – ANNEX C

25. The indicative claim form is the spreadsheet Annex C in the Excel workbook, where specific instructions are given for its completion. Annex C needs to be returned to the UK Border Agency by no later than 31 January 2010 indicating the actual expenditure and grant claimable for the six months to September 2009 and the forecast for the six months to March 2010. For the avoidance of doubt, the total projected claim for 2009/10 should be the lower of the year's combined maximum grant claimable for under 16 plus 16-17 year olds or the year's total cost for both categories; so that any overspend in one UASC category may be offset against an under spend on another.

CONTACT DETAILS

Contact details for the UASC 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

2009-2010 TIMETABLE

Monthly application for payment summary Annex A to be forwarded by local authorities to the UASC LA Grants team	Monthly by 15 th of each following month.
Payment Advice will be completed by the UASC LA Grants team and forwarded to the local authority when payments are made	As soon as possible after these instructions are issued, and monthly thereafter
Any discrepancies regarding the amounts paid to be forwarded by local authorities to the UASC LA Grants team	Within one month after payment advice received
Any evidence to resolve anomalies including 'not valid' forms and age assessments to be forwarded by local authorities to the UASC LA Grants team	Within two weeks after payment received
Annex B (Interim) to be completed and forwarded to the UASC LA Grants team by	31 December 2009
Indicative claim form, Annex C, to be returned by	31 January 2010
Annex B (Final) claim form UASC 09/10, annex D and annex F to be completed and forwarded to the UASC LA Grants team by	30 June 2010
Adjustments and over/underpayments to be made by	28 Feb 2011