

ANNUAL PROGRAMME: ERF III 2008

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INTRODUCTION

This Annual Programme (AP) presents to the European Commission the United Kingdom (UK) proposals for use of the allocations provided to it through the third phase of the European Refugee Fund from 2008-2013 (ERF III) for the first year of operation, 2008.

This AP 2008 is prepared in accordance with Article 20 on Annual Programmes, of the Basic Act 573/2007/EC of the European Parliament and Council establishing the European Refugee Fund for 2008-13 (Basic Act 573/2007/EC), and the template provided in the accompanying European Commission Decision of 19 December 2007 (2008/22/EC) which lays down the rules for the implementation of Decision 573/2007/EC.

It therefore presents a description of the selection processes for projects to be financed under the 2008 annual programme in the UK, and summarises the changes to the management and control systems.

The actions to be supported by the 2008 programme are then presented, according to the three priorities outlined in the Strategic Guidelines of Commission Decision 2007/815/EC of 29 November 2007, implementing Decision Number 573/2007/EC of the European Parliament and of the Council as regards the adoption of the strategic guidelines 2008-2013.

For each priority, the purpose and scope of the eligible actions are described, together with their expected recipient target groups. For those actions which will be implemented by the Responsible Authority (RA) in the Executing Body role, the justification is presented. Where possible at this stage in the Annual Programme implementation, expected quantified results and indicators are outlined. For each priority, the measures to be taken to ensure visibility of EC funding, complementarity with other EC instruments, and summary financial information are also provided.

The final chapters of the 2008 Annual Programme Proposal summarise the purpose and expected results of technical assistance, and the document concludes with a presentation of the proposed financing plan for ERF III 2008, in both Euros and Pound Sterling.

***UK European Refugee Fund Responsible Authority
Refugee Integration Funding Section
Asylum Policy Directorate
Home Office Border and Immigration Agency***

14 November 2008

1. GENERAL RULES FOR SELECTION OF PROJECTS TO BE FINANCED UNDER THE PROGRAMME

This chapter provides an overview of the methods the Home Office UK Border Agency (UKBA) utilises to apportion the ERF III 2008 Annual Programme allocation, the selection processes for projects which will be implemented by the Responsible Authority (RA) acting in Executing Body role (internal projects), and the selection processes for projects administered by the RA in grant Awarding Body role (external projects).

The apportionment for this 2008 Annual Programme has been developed in accordance with the Multi-Annual Programme Proposals submitted to the Commission for ERF III 2008-2013, as specified in Basic Act 573/2007/EC Article 18.

1.1 Apportionment of ERF III funds

In accordance with Article 11 '*Partnership*', of Basic Act 573/2007/EC, UKBA has established an independent Apportionment Board to advise on the UK's proposed allocations of all European funding provided as part of the general Solidarity Mechanism programme. The Board is presented with proposals for each of the three EU Solidarity Mechanism Funds in which the UK participates, including the ERF III. The proposals include multi-annual strategies, plus annual strategies for the programme year in question.

As part of the procedures laid out in the basic acts, and in the case of ERF III, Article 11 (Partnership) of Basic Act 573/2007/EC, this states that "*each Member State shall organise, in accordance with current national rules and practices, a partnership with the authorities and bodies which are involved in the implementation of the Multi-Annual Programme, or which, according to the Member State concerned, are able to make a useful contribution to its development.*"

Therefore, at the start of the multi-annual programming phase, the legislative process which regulates each fund is outlined to the Board. The basic EU acts, which are supplemented by two accompanying European Commission Decisions laying down the rules for the implementation of the basic acts, and the Strategic Guidelines which provide the priority framework for each fund, are each presented to the Board.

The Board then considers the UK's proposed expenditure as set out in the plans provided in preparation for the Multi-Annual and Annual Programme proposals.

In determining the validity of the proposals through this process, the Board considers whether the plans take into account the *priorities* and *actions* outlined in the Basic Acts and Commission documents.

For ERF III, Commission Decision 2007/815/EC outlining the Strategic Guidelines published by the European Commission, presents three priorities. These are:

Priority 1: Implementation of the principles and measures set out in the Community *acquis* in the field of asylum, including those related to integration objectives.

Priority 2: Development of reference tools and evaluation methodologies to assess and improve the quality of procedures for the examination of claims for international protection and to underpin administrative structures in an effort to respond to the challenges brought forward by enhanced practical cooperation with other Member States.

Priority 3: Actions helping to enhance responsibility sharing between Member States and third countries.

Decision 2007/815/EC further states that Priority 1 and Priority 2 are mandatory. Priority 3 is optional. Mandatory priorities must be addressed at some point during the lifetime of the Fund (2008-13), although Member States are free to specify the amounts which they wish to dedicate to the mandatory priorities and the duration of the resulting projects.

In addition, Commission Decision 2007/815/EC presents *Specific Priorities* for each of the three priorities. ERF III funding provides up to 50% match funding, except for projects which address the Commission's Specific Priorities, which can be entitled to up to 75% match funding. Details of the Specific Priorities for ERF III are summarised as:

Priority 1:

- Actions aimed at taking into account the special needs of vulnerable groups, notably unaccompanied minors
- Actions improving the identification of persons in need of international protection and/or the processing of their applications

Priority 2:

- Measures designed to carry out an independent review on how the national asylum system
- Development of tools aimed to enhance consistency in national decision making, such as case-law databases

Priority 3:

- Actions relating to the resettlement of persons from a country or region designated for the implementation of a Regional Protection Programme
- Actions aimed at transferring asylum seekers or beneficiaries of international protection from Member States facing particular pressures on their asylum systems

Finally, Basic Act 573/2007/EC presents five eligible actions, which are:

- a) Reception conditions and asylum procedures;
- b) Integration;
- c) Development, monitoring and evaluation of asylum policies
- d) Resettlement of refugees; and
- e) Transfer of asylum seekers and/or refugees between Member States.

Broadly, Priority 1 is addressed by actions a) *Reception conditions and asylum procedures* and b) *Integration*. Priority 2 is addressed by action c) *Development, monitoring and evaluation of asylum policies*. Priority 3 is addressed by actions d) *Resettlement of refugees* and e) *Transfers between Member States*.

In line with national requirements, plus the priority and the eligible action requirements, the UK ERF RA presents multi-annual and annual strategy proposals to the Board.

The UK Apportionment Board met on 15th November 2007, and approved the UKBA RA proposals for the ERF III Multi-Annual Programme Period 2008-13 as well as the Annual Programme for the year 2008. This document therefore presents the UK's 2008 Annual Programme Proposal.

1.1.1 UK Annual Programme 2008

The Annual Programme 2008 proposed to the UK Apportionment Board, plus the division of apportionment between actions as specified in Council Decision 573/2007/EC Article 3 (1), is summarised here:

• Action A: Reception Conditions & Asylum Process:	0%
• Action B: Integration:	17%
• Action C: Development Of Asylum Policies:	0%
• Action D: Resettlement:	76%
• Action E: Transfers Between Member States:	0%
• Technical Assistance	7%
TOTAL 2008 =	100%

Therefore, it can be seen that for 2008, the UK will apportion the funds to two main actions from Basic Act 573/2007/EC Article 3 (1), specifically (b) *Integration* and (d) *Resettlement*.

UKBA does not propose to allocate ERF III funds to Basic Act 573/2007/EC Article 3 (1) actions (a), (c) or (e) during 2008. Instead, they will be addressed during subsequent annual programme years of the ERF III Multi-Annual Programme cycle. This is outlined in the UK MAP strategy submitted to the European Commission on 1st March 2008. Annual proposals for subsequent years will be referred to the UK Apportionment Board for consideration with Border and Immigration Agency's allocation proposals for the future Annual Programme years 2009 and 2010.

The UK does not propose to address any specific priorities specified in Commission Decision 2007/815/EC within the ERF III 2008 Annual Programme.

Tables 1(a) and 1(b) present the division between actions which will be carried out by the RA in Executing Body role (internal projects) and Awarding Body role (external projects) for 2008. Justification for Executing Body roles are outlined in Chapter 3.

Table 1(a) Summary of UK 2008 Annual Programme by Eligible Action, Executing and Awarding Body role (€)

	Action	Internal – ‘Executing Body’		External – ‘Awarding Body’		Totals	
		€ (000)	%	€ (000)	%	€ (000)	% ¹
1	Reception conditions/asylum procedures	0	0	0	0	0	0
2	Integration of refugees and HP	0	0	1,559	17	1,559	17
3	Development of asylum policies	0	0	0	0	0	0
4	Resettlement	4,410 ²	68	0	0	4,410	76
5	Transfer of refugees between Member States	0	0	0	0	0	0
	Technical Assistance	481				481	7
	Totals	4,410	76	1,559	17	481	6,450
						100	

¹ The UK overall % figures reflect the % allocation of funding including the Future Resettlement amount pledged. The reason of this is these are the projected figures submitted to the UK Appointment Board where it was agreed to allocate all Future Resettlement amount received from the Commission to part fund the Gateway Resettlement Programme which forms part of Priority 3. The Future Resettlement Pledge for ERF 2008 is €2,720,000, this gives a maximum amount to be received by the UK of €9,169,710.12.

² This figure represents the portion of the general ERF funds which the UK intends to allocate to resettlement projects.

Table 1(b) Summary of UK 2008 Annual Programme by Eligible Action, Executing and Awarding Body role (£)³

	Action	Internal – 'Executing Body'		External – 'Awarding Body'		Totals		
		£(000)	%	£(000)	%	£(000)	% ⁴	
1	Reception conditions/asylum procedures	0	0	0	0	0	0	
2	Integration of refugees and HP	0	0	1,053	17	1,053	17	
3	Development of asylum policies	0	0	0	0	0	0	
4	Resettlement	2,979 ⁵	76	0	0	2,979	76	
5	Transfer of refugees between Member States	0	0	0	0	0	0	
	Technical Assistance	325				325	7	
	Totals	2,979	76	1,053	17	325	4,357	100

³ The conversion rate for Euro is 0.6754.

⁴ The UK overall % figures reflect the % allocation of funding including the Future Resettlement amount pledged. The reason of this is these are the projected figures submitted to the UK Appointment Board where it was agreed to allocate all Future Resettlement amount received from the Commission to part fund the Gateway Resettlement Programme which forms part of Priority 3. The Future Resettlement Pledge for ERF 2008 is approximately £1,837,088, this gives a maximum amount to be received by the UK of £6,193,222.21.

⁵ This figure represents the portion of the general ERF funds which the UK intends to allocate to resettlement projects.

1.2 Internal Allocation – general rules for selection

As provided by Article 7(3) of the Commission Decision 2008/22/EC laying down rules for the implementation of Council Decision 573/2007, the UK ERF RA can act an Executing Body if “*the characteristics of the project leave no other choice for implementation, such as de jure monopoly situations or security reasons. In these cases, the rules concerning the final beneficiary shall apply mutatis mutandis to the responsible authority.*”

Therefore, the RA requires ‘internal’ project proposals to submit applications for consideration by the independent Apportionment Board outlined in Section 1.1 above and detailed in the ERF III MAP 2008-2013. The RA requires the same financial and project information to be provided from internal bidders as for external project proposals awarded through the RA acting in grant Awarding Body role (Section 1.3 below).

Article 14(5) of Basic Act 573/2007/EC states:

“Within the framework of the implementation of national programming as set out in Chapter IV, Member States shall select projects for financing on the basis of the following minimum criteria:

- (a) the situation and requirements in the Member State concerned;
- (b) the cost-effectiveness of the expenditure, inter alia in view of the number of persons concerned by the project;
- (c) the experience, expertise, reliability and financial contribution of the organisation applying for funding and any partner organisation;
- (d) the extent to which the project complements other actions funded by the general budget of the European Union or as part of national programmes.”

In addition, internal bidders must justify how they satisfy the condition that they are *de jure* monopoly providers or why the project can only be delivered by UKBA.

An internal application form template is provided, which mirrors that required of external beneficiaries, with the additional requirement to explicitly justify why a *de jure* monopoly position, or other similar position, exists.

The Apportionment Board then considers all internal applications against these elements, for all internal projects submitted. It also interrogates internal applications according to whether they meet the domestic priorities agreed during the high level multi-annual apportionment process, in addition to whether the criteria for Article 7(3) of Commission Decision 2008/22/EC are met. A key consideration of the Board’s internal procurement assessment is to advise on whether the use of the fund as proposed in the application submitted constitutes value for money.

Finally, they provide feedback on any aspects of the application for which they recommend adjustment prior to approval. Without adequately addressing this feedback and providing the amendments or clarifications required, the Board will not approve internal applications.

1.3 External Allocation – general rules for selection

An external tendering process is conducted to allocate the ERF funds when the UK acts as a grant awarding body, in accordance with Article 9 of the Commission Decision 2008/22/EC laying down rules for the implementation of Council Decision 573/2007/EC.

As set out in Article 9(1) of Commission Decision 2008/22/EC, the ERF RA ensures that:

“The call for proposals shall specify:

- (a) the objectives;
- (b) the selection criteria, which shall comply with Article 14(5) of the basic act ;
- (c) the arrangements for Community and, if applicable, national financing;
- (d) the arrangements and final date for submission of proposals.”

Article 14(5) of Basic Act 573/2007/EC states:

“Within the framework of the implementation of national programming as set out in Chapter IV, Member States shall select projects for financing on the basis of the following minimum criteria:

- (e) the situation and requirements in the Member State concerned;
- (f) the cost-effectiveness of the expenditure, inter alia in view of the number of persons concerned by the project;
- (g) the experience, expertise, reliability and financial contribution of the organisation applying for funding and any partner organisation;
- (h) the extent to which the project complements other actions funded by the general budget of the European Union or as part of national programmes.”

1.3.1 Call for Tenders and Public Announcement

Commission Decision 2008/22/EC Article 9(1) states “*the call for proposals defined in Article 7(2) shall be published in a way that ensures maximum publicity amongst potential beneficiaries.*”

The UK ERF III 2008 RA call for proposals is therefore published in the national press, including in publications targeted towards minority ethnic groups, and on the Home Office UKBA website and requires specifically that applications ensure:

- they meet one or more of the stated eligible actions;
 - they meet the EC’s eligibility rules;
 - the funding request under ERF is less than or equal to 50% of the total cost of the project;
 - match funding has been secured or can be secured prior to the project commencing;
 - the project is cost-effective and provides value for money; and
 - the organisation’s infrastructure is in place to undertake the project.
- Elements considered will include:
- Relevant experience; and
 - Adequate resources.

The tender call is also advertised via the UK's Government Funding website, which is managed by the UK Government's Cabinet Office. Other sources of publicising the ERF III call for proposals include publicity amongst major stakeholder groups, in particular, the National Asylum Stakeholder Forum (NASF) and the Refugee Integration and Employment Service (RIES) network.

A ministerial public announcement is made at a suitable forum when the call is imminent and/or opening, and following its publication, electronic mail alerts are cascaded to all key stakeholders.

To fulfil Decision 2008/22/EC Article 9(2) and ensure that potential beneficiaries are informed of eligibility rules for expenditure, the time limit for implementation and the financial and other information required, extensive documentary guidance is provided together with the application form.

The External Project Application Guidance document, the 'Frequently Asked Questions' document for external projects, and the External Application Budget Toolkit Guidance, together constitute the suite of supporting documentation which the UK RA provides to external projects for application purposes.

In addition, a pre-application workshop is held whilst the tender call is still open, to facilitate completion of the application form and financial information required. This further addresses the requirements of Article 9(2).

Project applications are submitted electronically to the UKBA procurement division. This is external to the RA. The procurement division conducts an initial sift to ensure all key documents are included and that core criteria have been satisfied.

1.3.2 Tender Assessment Criteria

In accordance with Commission Decision 2008/22/EC Articles 9(3) and 9(4), a selection panel is convened to independently review project bids against specified criteria. Panel members are not drawn from the RA team, but are independent, suitably qualified staff, briefed on the requirements of the ERF III regulations and domestic criteria against which the RA requires selection to be undertaken. During the selection process, a selection matrix is completed and officially recorded by each panel member.

Detailed tender assessment processes involve each proposal application form being scrutinised and assessed against the following four areas: relevance, efficiency, capacity and effectiveness. These correspond to the requirements of the Basic Act 573/2007/EC and Commission Decision 2008/22/EC, which is now outlined in detail for how the ERF III 2008 External Procurement process will be implemented.

Relevance

The proposals need to provide evidence that actions relate to integration of the target group, in a manner which reflects or complements both UK national

and European requirements, as demonstrated through their respective general budgets, in particular the following:

- (i) target groups of refugees, persons with Humanitarian Protection or Discretionary Leave or resettled persons;
- (ii) vulnerable people especially unaccompanied children;
- (iii) meet EC eligible action areas and / or strategic priorities for the Fund;
- (iv) activities which facilitate refugees being integrated into employment, which complement existing UK national activities (as outlined in the ERF III 2008-13 MAP) or are innovative to these; and
- (v) meaningful activities which bring together host and refugee communities and local authorities, voluntary groups, which complement existing UK national activities (as outlined in the ERF III 2008-13 MAP) or are innovative to these.

This fulfils *Article 14(5) (a) the situation and requirements in the Member State concerned*, of Basic Act 573/2007/EC. Additionally, it fulfils *Article 14(5)(d) the extent to which the project complements other actions funded by the general budget of the European Union or as part of national programmes*, of Basic Act 573/2007/EC, through two types of verification.

Firstly, the application process requires that organisations clearly flag all sources of funding for both the proposed project, and, for their organisation, any income the organisation receives from the UK Government, national or local authorities, local government schemes, the European Union or Commission for the last two years. Specifically, applications must state whether:

- a) the proposed project; or
- b) other projects implemented by the bidding organisation

is/are in receipt of either national funding from European co-financing from other funds, including the European Refugee Fund II (2005-2007), European Social Fund (ESF), European Regional Development Fund (ERDF), European Integration Fund (EIF), and European Returns Fund (RF), for example.

If so, applications must specify and justify how they segregate their European co-financing between projects, in particular for deliverables, outputs, outcomes and/or impacts.

Secondly, applications must demonstrate throughout their bids that they add value or complement existing nationally funded actions, such as the National Refugee Integration and Employment Service, and the European Union's priorities.

This enables the assessment panel to judge whether and/or how the proposed project complements those implemented by the organisation which receives funding through other European Union or national budgets, and overall, whether an ERF III co-financing grant is relevant. Together with assessment of whether the prospective project will target the eligible target group(s) for the ERF, the ERF III external tender assessment criteria includes this element, fulfilling Basic Act 573/2007/EC Article 14(5)(d), under the *Relevance* category.

Efficiency

The proposals need to provide evidence that the proposed programme:

- (i) is likely to achieve convincing and realistic outputs and outcomes in the most economic way;
- (ii) that the amount set aside for indirect costs does not exceed 20% (all amounts to be in sterling);

This fulfils Article 14(5)(b) *the cost-effectiveness of the expenditure, inter-alia in view of the number of persons concerned by the project*, of Basic Act 573/2007/EC.

Capacity

The proposals need to provide evidence that the proposed programme:

- (i) can deliver the work and comply with the requirement of the ERF;
- (ii) has a track record of delivering similar projects;
- (iii) has the personnel with the skills, knowledge and experience in order to achieve successful delivery of the project;

This fulfils Article 14(5)(c) *the experience, expertise, reliability and financial contribution of the organisation applying for funding and any partner organisations*, of Basic Act 573/2007/EC.

Effectiveness

The proposals need to provide evidence that the proposed programme:

- (i) is likely to achieve the outputs of the programme by turning them into positive outcomes;
- (ii) has internal project planning and management systems in place.

This fulfils Article 14(5)(c) *the experience, expertise, reliability and financial contribution of the organisation applying for funding and any partner organisations*, of Basic Act 573/2007/EC.

As specified above, Article 14(5) of Basic Act 573/2007/EC sets out the minimum criteria on which projects will be selected. The UK's selection process complies with the criteria laid down in this article. Specifically:

Article 14(5)(a) *"the situation and requirements in the Member State concerned"*

- The projects are selected on the basis of how they meet a specific need or priority either laid down by the EC or the UK. These are described in detail in the multi-annual programme 2008-2010.

Article 14(5)(b) *"the cost-effectiveness of the expenditure, inter-alia in view of the number of persons concerned by the project"*

- Analysis of project proposals include the number of beneficiaries to be assisted compared to the ERF funding requested. A project with a high ratio of the target group compared to low costs scores a higher mark whereas a project with a low number of the target group assisted compared to a higher cost scores a lower mark. However, where the project identifies and targets a specific vulnerable group, this is also factored into the overall score of the project proposal.
- Other areas considered in the proposal include a check of the funding of the organisation to ensure that the project or organisation is not in receipt of other EU funding and estimated costs, in particular those relating to staff costs, are not extreme and that indirect costs do not exceed the maximum stated.

Article 14(5)(c) *“the experience, expertise, reliability and financial contribution of the organisation applying for funding and any partner organisations”*

- Project proposals are assessed on the organisational structure and capacity to deliver the outputs and outcomes of the project. This includes a check of the organisation’s history, its experience of delivering to the target group, the staffing proposed, including their skills and abilities to deliver the project, the risks identified and contingency plans suggested as well as their proposed implementation plan to assess whether it is realistic. The organisations’ set of published accounts for the last two years is also analysed and business records scrutinised via a reputable and independent business reporting company, Dun and Bradstreet.

Article 14(5)(d) *“the extent to which the project complements other actions funded by the general budget of the European Union or as part of national programmes”*

- The call for proposals advertisement and associated application guidance sought projects which assisted the target groups including vulnerable people identified in Priority 1 of the Commission Decision 2007/815/EC concerning the Strategic Guidelines for 2008 to 2013. Assessment considers the extent to which proposals address this.
- The call also sought projects with an emphasis on employment services which assisted the UKBA’s new refugee integration initiative, the Refugee Integration and Employment Service (RIES), complementing this existing nationally funded action.
- Project proposals are assessed on whether they meet EC eligible action areas and / or strategic priorities for the Fund, through proposals which target activities that complement existing UK national activities (as outlined in the ERF III 2008-13 MAP) or are innovative to these. This also takes into account how the extent to which the proposal complements other projects an organisation may be funding, for which it receives other European co-financing.

1.3.3 Rejection Criteria

Possible rejection criteria are also set out and considered. These can include:

- (i) project fails to meet one or more of the criteria of the Fund;
- (ii) proposed project is not for the specified target group;

- (iii) proposed project does not relate to the specific priority areas;
- (iv) ill-defined outputs and outcomes;
- (v) insufficient value for money is achieved;
- (vi) no evidence to show they can comply with the requirement of the ERF;
- (vii) no track record or evidence of knowledge or expertise;
- (viii) lack of effective partnerships, if relevant;
- (ix) no evidence to show they can provide practical measures to integrate refugees into UK society;
- (x) the proposed programme is unrealistic;
- (xi) the proposed programme will not deliver the outputs/outcomes proposed; or
- (xii) there is an absence of internal project planning and management systems.

1.3.4 Post-Selection Processes

The recommended shortlist is then submitted to the minister, after which projects are notified of the results.

Successful and unsuccessful projects are provided with decisions in writing, and any relevant feedback on their application (Decision 2008/22/EC Articles 9 (5) and 9(6)).

Successful projects' attendance is mandatory at the preliminary workshop for selected projects, where the Commission Rules, plus monitoring, audit and evaluation requirements of ERF III funding are presented in detail, prior to signing of Grant Agreements. Grant Agreements are then signed in accordance with regulations laid down in Decision 2008/22/EC Article 10.

2. CHANGES IN THE MANAGEMENT AND CONTROL SYSTEMS

There have been no changes to the management and control system submitted by the UK UKBA.

3. ACTIONS TO BE SUPPORTED BY THE PROGRAMME UNDER THE PRIORITIES CHOSEN

In accordance with the UK ERF III MAP 2008-2013, the actions to be delivered for each of the three priorities through the UK 2008 Annual Programme are presented in this chapter.

3.1 Actions implementing Priority 1: *“Implementation of the principles and measures set out in the Community acquis in the field of asylum, including those related to integration objectives.”*

a) *Purpose and scope of the action*

In relation to Priority 1, the key provisions are contained in Council Directive 2004/83/EC of 29 April 2004 on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons who otherwise need International Protection and the Content of the Protection Granted (the Qualification Directive), specifically Article 33, *Access to integration facilities*, which states:

1. *In order to facilitate the integration of refugees into society, Member States shall make provision for integration programmes which they consider to be appropriate or create pre-conditions which guarantee access to such programmes.*
2. *Where it is considered appropriate by Member States, beneficiaries of subsidiary protection status shall be granted access to integration programmes.*

The UK transposed the Qualification Directive into UK law through The Refugee or Person in Need of International Protection (Qualification) Regulations 2006 and changes to The Immigration Rules. The new Regulations and changes to the Immigration Rules came into effect on 9 October 2006.

Under Priority 1, UKBA has therefore earmarked €1.5 million (approximately £1.01 million) towards integration actions (eligible action c, of Basic Act 573/2007/EC) to be externally awarded, for projects which complement and add value to the new Refugee Integration and Employment Service (RIES). This will be rolled out in 2008, and UKBA is funding from internal resources.

Under this action, funding will be targeted at projects focused on:

- employment, specifically those which:
 - assist in the integration of target groups into the labour market;
 - assist with vocational training and acquisition of recognised qualifications and diplomas; and / or those which
 - focus on sector specific employment including health or education professionals.

And:

- Refugee Community Organisation (RCO) development – specifically projects which promote “meaningful contact and constructive dialogue between refugees and the receiving society, including actions which promote the involvement of key partners such as the general public, local authorities, voluntary groups ...

and broader ... society” in accordance with Article 3 (f) of the European Parliament and Council Decision No 573/2007/EC.

Employment related projects must specifically demonstrate how they will add value to the new RIES, for example by providing sector specific employment or employment training opportunities.

Specifically, the actions to be carried out as part of the projects which will be externally tendered in the UK for integration related actions are provided for by the following, according to Article 3, paragraph 3 of Basic Act 573/2007/EC: “As regards the integration into Member States’ societies of persons referred to in paragraph 1 (b) and members of their family, eligible actions shall include the following:

(a) Advice and assistance in areas such as [...] integration into the labour market;

[...]

(c) Actions to promote durable and sustainable participation in civil and cultural life;

(d) Measures focusing on education, vocational training, or recognition of qualifications and diplomas;

(e) Actions designed to promote self-empowerment and to enable such persons to provide for themselves;

(f) Actions that promote meaningful contact and constructive dialogue between such persons and the receiving society, including actions which promote the involvement of key partners as the general public, local authorities, refugee associations, voluntary groups, social partners and broader civil society;

[...]

(h) Actions that promote both equality of access and equality of outcomes in relation to such persons’ dealings with public institutions. “

The UK is not prioritising actions listed under Article 3 (3) (b) or (g).

b) Expected grant recipients

UKBA will externally tender all of this allocation. Recipients are expected to be from the private and voluntary sectors, local or regional Government, and Refugee Community Organisations.

The eligible target groups benefiting from these projects, as specified in Council Decision 573/2007/EC, will be:

- Any third country national or stateless person having the status defined by the Geneva Convention and who is permitted to reside as a refugee in one of the Member States (Article 6 (a));
- Any third-country national or stateless person enjoying a form of subsidiary protection within the meaning of Directive 2004/83/EC (Article 6 (b)); and / or
- Any third country national or stateless person who has applied for one of the forms described in points a) or (b) [as above].

As specified in Article 3 (1) (b) of Council Decision 573/2007/EC, the projects to be selected to undertake integration related actions will target beneficiaries whose stay in the UK is of a lasting and stable nature.

c) Justification of Executing Body implementation, if applicable

Not applicable to actions under this priority for the 2008 Annual Programme. Apportioned funds to this priority will all be externally tendered, and administered in grant Awarding Body role.

d) Expected quantified results and indicators to be used

The UK anticipates funding according to the following breakdown, although this is provided as a provisional guide only at this stage of the 2008 programme implementation and is subject to change following the receipt of tenders:

- €270k / £200K for approximately 10 projects of grants from €13 - €27k / £9 - £18k
- €1.076m / £800k for approximately five projects of grants from €135 - €270k / £91 - £182k

Tailored indicators to assess actions funded under this priority will be developed through the commissioning of the independent evaluation, which will draw on quantifiable outputs assessed during monitoring.

Indicators which could be used to assess the types of integration action projects envisaged will constitute of a range of output and impact/outcome indicators. These could include, but not be limited to the following:

- Output indicators:

- number of work placements started;
- number of work placements successfully completed;
- number of employers engaged with;
- number of job applications made;
- number of refugees securing employment;
- duration of employment obtained;
- level of employment obtained;
- number of one:one support sessions held;
- number of information sessions held (and attendance);
- number of awards granted;
- number of mentoring relationships initiated;
- number of work placements started (and number successfully completed);
- number of exam entries (and passes); or
- number of joint community initiatives undertaken.

- Outcome and Impact indicators:

- increased networks of employers;
- enhanced knowledge amongst employers of the specific practical elements associated with refugee employees;
- decreased prejudice amongst employers in employing refugee staff;
- increased confidence in making further job applications;
- increased social networks; or
- decreased prejudice amongst communities to refugees.

e) *Visibility of EC funding*

Project managers will be responsible for ensuring the correct reflection of EC funding in project documentation and presentations, and will build on the experience developed through publicising EU funding through the ERF since 2000. They will be expected to fully understand the rules and guidelines regarding visibility and advise project colleagues accordingly. The RA will provide advice or guidance as necessary.

f) *Complementarity with similar actions financed by other EC instruments, if appropriate*

Projects funded from ERF phase III that focus on integration actions, will complement UK projects funded by the European Integration Fund, established through Council Decision 2007/435/EC of 25 June 2007 establishing the European Fund for the Integration of third-country nationals for the period 2007-2013, especially those projects which focus on improving language abilities given the link between language attainment and achievement of employment potential.

Clear separation of the eligible target groups during the selection process will be ensured by each of the RAs for the funds.

g) *Financial information*

As presented in the UK Multi-Annual Programme proposal, UKBA's strategic objectives clearly state the integration of those who need protection is a priority. For 2008, UKBA will dedicate €1.5 million / £1.013 million (17%) of ERF III to integration activities for refugees.

3.2 Actions implementing Priority 2: *“Development of reference tools and evaluation methodologies to assess and improve the quality of procedures for the examination of claims for international protection and to underpin administrative structures in an effort to respond to the challenges brought forward by enhanced practical cooperation with other Member States.”*

No ERF III funds will be assigned to actions relevant to Priority 2 in 2008. Instead, the Apportionment Board will consider specific allocation proposals in the run-up to 2009 and 2010 Annual Programme Proposals, in accordance with the strategy presented in the UK MAP 2008-13.

3.3 Actions implementing Priority 3: *“Actions helping to enhance responsibility sharing between Member States and third countries (optional).”*

a) *Purpose and scope of the action*

Basic Act 573/2007/EC Article 3 paragraphs (1) (d) and (5) (a) - (g), Article 6 (e) and Article 13 provide the foundations for apportioning ERF III funding to resettlement activity. These include provisions for fixed amounts for specified categories of resettled persons.

For 2008, the UK will implement this priority through the eligible action on resettlement activity, according to Article 3, paragraph 1, activity (d) of Basic Act 573/2007/EC, and the detail contained in paragraph 5 (a) - (g).

A total of €6.9 million / £4.7 million will be allocated to resettlement actions. The resettlement of refugees who require humanitarian protection is a key UKBA priority. This commitment began with the 2002 White Paper ‘Secure Borders, Safe Haven’, was continued during the 2005 Five Year Strategy on Immigration and Asylum, and remains a key UKBA priority as detailed in the current UKBA business plan.

Table 2 presents the number and nationality of resettlement arrivals to the UK since the commencement of the UK resettlement programme.

Table 2 *Numbers and Nationality of Resettlement Arrivals to the UK, 2003 - 2007*

UK Financial Year	Number of Resettlement Arrivals	Nationalities
2003/4	14	Liberian
2004/5	136	Liberian, Congolese
2005/6	248	Burmese, Sudanese, Congolese
2006/7	507	Ethiopian, Mauritanian, Burmese, Congolese
Total arrivals	1,133	

UKBA proposes a single project under the resettlement action, to deliver this priority, which will be carried out by the RA in the Executing Body role. This is the Gateway Protection Programme resettlement project, which is entering a new project phase through a significant expansion amounting to a 50% increase of the total resettlement arrivals annually.

Specifically, there is a commitment to expand the project from its previous, and current, target of 500 persons resettled, by increasing it to 750 in 2008-9. In addition, in 2008, the programme will be providing support for the resettlement of Iraqi refugees, to support global burden sharing efforts tackling this particular refugee crisis.

Developing resettlement activity in the UK, through the Gateway Protection Programme, is a high unit cost activity. Programme development, plus expansion, is a key requirement in the UK.

The detailed project objective for this new phase is to increase the capacity of the UK to resettle refugees, enabling positive settlement outcomes for more of the refugees involved. Specifically, we will resettle up to 750 refugees to the UK from January 2008, ensuring that they are:

- selected for resettlement according to the established policy,
- prepared for the journey and longer-term experience, and
- provided with necessary support after arrival to facilitate their long-term settlement.

The eligibility of actions to be carried out as part of the project is provided for by Basic Act 573/2007/EC Article 3, paragraph 5: "*As regards actions relating to resettlement, the following shall be eligible for support from the Fund.*" This includes:

- (a) Actions relating to the establishment and development of a resettlement programme;
- (b) Actions relating to the assessment of potential resettlement cases by the competent Member States' host authorities, such as conducting missions to the host country, interviews, medical and security screening;
- (c) Pre-departure health assessment and medical treatment;
- (d) Pre-departure material provisions;
- (e) Pre-departure information measures;
- (f) Travel arrangements, including provision of medical escort services; and
- (g) Information and assistance immediately upon arrival, including interpretation services.

In addition, Basic Act 573/2007/EC Article 3, paragraph 7, provides that: "*The actions referred to in paragraphs 2 and 3 shall also be eligible for support from the Fund where they are targeted at the persons referred to in Article 6(e).*" ERF funding for the following actions will, therefore, also be provided in relation to resettlement as part of post-arrival measures not exceeding 12 months in total according to:

Paragraph 2: As regards reception conditions:

- (a) Accommodation infrastructure or services;
- (c) Provision of material aid and medical or psychological care;
- (d) Social assistance, information or help with administrative and/or judicial formalities;
- (e) Legal aid and language assistance;
- (f) Education, language training and other initiatives which are consistent with the status of the person concerned;

- (g) The provision of support services such as translation and training to help improve reception conditions; and
- (h) Information for local communities as well as training for the staff of local authorities, who will be interacting with those being received in the host country.

Paragraph 3: As regards the integration into Member States' societies:

- (a) Advice and assistance in such areas as housing, means of subsistence, integration into the labour market, medical, psychological and social care;
- (b) Actions enabling such persons to adapt to the society of the Member State in socio-cultural terms, and to share the values enshrined in the Charter of Fundamental Rights of the EU;
- (c) Actions to promote durable and sustainable participation in civil and cultural life;
- (d) Measures focusing on education, vocational training, or recognition of qualifications and diplomas;
- (e) Actions designed to promote self-empowerment and to enable such persons to provide for themselves;
- (f) Measures to support the acquisition of skills by such persons including language training; and
- (g) Actions that promote equality of access and equality of outcomes in relation to such persons' dealings with public institutions.

b) Expected grant recipients

The eligible target groups benefiting from this project will be any third country national or stateless person who is being or has been resettled in a Member State (Article 6(e)), with a target of 750 for the UK financial year 2008-9.

c) Where appropriate, justification regarding projects implemented directly by the responsible authority acting as an executing body

The European Commission Decision of 19 December 2007 (2008/22/EC) which lays down the rules for the implementation of Decision 573/2007/EC Article 8 states:

“(1) The reasons which led the Responsible Authority to act as Executing Body for implementation of projects shall be identified and communicated to the Commission within the framework of the annual programme concerned.”

This section therefore presents the justification regarding the implementation of the UKBA Gateway Resettlement Project by the RA acting in Executing Body role for the administration of this project under the resettlement action addressing Priority 3, for the UK 2008 AP. Adopting the guidance in SOLID/2008/02 and subject to Articles 7 and 8 of Commission Decision 2008/22/EC, the section begins by presenting the national authorities involved in this implementation. It then outlines the elements of the project for which implementation by sub-contractors is required, and the implications of this for the UK ERF RA.

i) *Relevant National Authorities Involved in Executing Body Mode Implementation*

Commission Decision 2008/22/EC Article 7 (3) on Implementation of the Fund by the Responsible Authority, states that:

“...The Responsible Authority acts as Executing Body in cases where it decides to implement the projects directly because the characteristics of the projects leave no other choice for implementation, such as *de jure* monopoly situations or security reasons. In these cases, the rules concerning the final beneficiary shall apply *mutatis mutandis* to the Responsible Authority.”

UKBA will administer these resettlement funds by the RA in Executing Body role, as it has a *de jure* monopoly position in providing legal status to those refugees selected for resettlement. The UK Government is the only body able to assess and grant status to the refugees entering the UK under this UNHCR/UK sponsored programme. UKBA, therefore, retains control over all aspects of resettlement. This includes selection, pre-departure, and post-arrival measures. The overall administration of the resettlement programme through these elements, which collectively comprise the UK Gateway Resettlement Programme project, can only be co-ordinated, monitored and delivered by the UK Government as a central function. There are no external organisations which could deliver the UK resettlement programme, nor implement its expansion and development through the new phase during which it will receive ERF III funding, the first year of which is presented in this AP 2008.

Commission Decision 2008/22/EC Article 8 (3) further states that:

“The Responsible Authority may implement the projects identified in accordance with Article 7 (3) directly and/or in association with any national authority competent on account of its technical expertise, its high degree of specialisation or its administrative powers. The main national authorities involved in implementation shall also be identified in the annual programme concerned.”

The UK Gateway Protection Programme is implemented by two national authorities, the Home Office UKBA and the Department for Work and Pensions (DWP). Broadly, UKBA oversees the selection, pre-departure and post-arrival measure processes, as well as financial provision for these. DWP leads on certain, specific post-arrival measures such as provision of social benefits relating to, for example, employment and social care, in the post-arrival phase for resettled refugees.

As outlined above, UKBA is the only body able to oversee the selection, pre-departure and post-arrival measures for resettled refugees, due to its technical expertise and specialisation. It requires DWP to implement certain post-arrival measures, as specified above, due to its technical expertise, specialisation and administrative powers. However, as part of Crown, these bodies are part of the same legal entity; hence the administration remains in Executing Body mode.

Commission Decision 2008/22/EC Article 8 (4), states that:

“... All relevant provisions laid down for a grant agreement in Article 10 (2) shall be specified in an equivalent form of legal agreement.”

The Service Level Agreement between UKBA and DWP meets the requirements of this Article, and is the appropriate legal instrument which fulfils the public interest by adhering to non-profit principles, and the absence of provision for damages or liability in dispute resolution.

ii) Equivalent Legal Instruments and Tendering Arrangements

Elements of the Gateway Protection Programme project pre-arrival and post-arrival measures are implemented operationally through agreements with organisations. Pre-arrival measures, such as pre-departure health assessments and medical treatment, pre-departure information, and travel arrangements are primarily implemented by IOM. Immediate post-arrival measures, for up to 12 months post-arrival, are primarily operated by Migrant Helpline (information and assistance immediately upon arrival) and UK Local Authorities (other post-arrival assistance measures).

Within the UK regions, the UK Gateway resettlement programme is operated through a ‘hybrid’ model comprised of three types of operation for the delivery of post-arrival services for which UKBA has special legal arrangements. These can be summarised as:

- 1) A legal agreement with a specific Local Authority to run ‘wrap-around’ post-arrival delivery of services to the Gateway Refugees;
- 2) A mixture of legal agreements with the individual Local Authority and other organisations to deliver the standard package of post-arrival services provided to the Gateway Refugees post arrival; and
- 3) A larger scale regional approach whereby a number of Local Authorities, at times working with other organisations, work as a consortium delivering and sharing resources and good practice, with a corresponding range of legal agreements.

For 2008, the project will be operated in nine regional hub areas:

- Sheffield;
- Norwich;
- Bolton, Bury & Salford;
- Middlesbrough;
- Rochdale;
- Oldham, Stockport and Tameside;
- Hull;
- London (Bromley); and
- East of England.

Oldham, Stockport and Tameside, London (Bromley), Middlesbrough and East of England are new regions to join the Gateway project.

Decision 2008/22/EC Article 7 (2) states that, for implementation of the Fund by the Responsible Authority:

“(2) ... In duly justified cases, including continuation of multi-annual projects in accordance with Article 14 (6) of the basic act which were selected after a previous call for proposals or in emergency situations, grants may be awarded without a call for proposals.

The Authority takes the view that the Public Contracts Regulations 2006 do not apply to the distribution of the relevant monies, due to the nature of the purposes to which they will be put. Furthermore, National legislation does not prescribe any particular procurement processes in these circumstances, although there is a general obligation on the Authority to ensure fairness, transparency and non-discrimination when selecting providers.

The relevant market in the UK is specialist and limited nature. In addition, there is a requirement for the refugee resettlement programme to have national coverage, which means that the Authority has a preference for providers with a wide geographical presence. It has therefore taken the view in the past that the most appropriate procurement route is to seek expressions of interest from larger providers for post-arrival services.

Specifically, all provider organisations working with the UK government and/or UK Local Authorities have previously been awarded legal agreements following an expression of interest and/or competitive tendering process. Broadly, legal agreements for pre-arrival measures, such as those undertaken by IOM, were awarded following a tender exercise. Post-arrival measures have frequently been awarded following a tender exercise involving expressions of interest tenders, which were advertised on the UKBA website. This has ensured previous calls for proposals were all assessed against criteria including level of experience and value for money for service delivery. The awarded bodies signed legal agreements with UKBA, which were for multi-annual delivery, and are still current.

In addition, the operations proposed for this 2008 Annual Programme element of the broader, multi-annual development of the Gateway Protection Programme resettlement project proposed for co-financing by the ERF III, as outlined in the UKBA ERF III Multi-Annual Programme 2008-13, constitute a preparatory phase. During this, preparation for longer term strategic planning of the legal basis for arrangements with post-arrival operational elements will be undertaken. However, at this stage, the 50% increase in resettled persons target with the ERF III co-financing, necessitates maintaining existing legal arrangements for these operational elements, at least in the short term. Therefore, the UK will not undertake further tendering processes for each agreement of the Gateway Protection Programme model during the 2008 ERF III annual programme year. The Gateway project is operated on a voluntary basis, whereby new regions elect to join, within the wider context of the national situation.

Commission Decision 2008/22/EC Article 8 (4), states that:

“... All relevant provisions laid down for a grant agreement in Article 10 (2) shall be specified in an equivalent form of legal agreement.”

The Service Level Agreements or other equivalent legal agreements between UKBA and delivery organisations meet the requirements of this Article, and are the appropriate legal instruments which fulfil the public interest by adhering to non-profit principles, and the absence of provision for damages or

liability in dispute resolution. They ensure good levels of performance and sanctions if these are not met.

Additionally, the provision of post-arrival services for resettled refugees, which primarily include educational and health care, can only be provided for by UK Local Authorities and Primary Care Trusts; no alternative providers with the appropriate regional coverage and necessary expertise exist. As they are only providers capable of providing these services, the view has been taken that full scale competitive tender is neither appropriate nor necessary. This view has been endorsed by UKBA commercial and procurement lawyers.

Finally, as these are additional services, similar to those which HMG already buys, utilising these providers ensures the benefit of economies of scale thereby ensuring that value for money is maximised.

iii) Subcontracting

Article 7 (3) (Implementation of the Fund by the Responsible Authority) of the European Commission Decision of 19 December 2007 (2008/22/EC) which lays down the rules for the implementation of Decision 573/2007/EC, states, where the Responsible Authority acts as Executing Body, that:

“... [i]n these cases, the rules concerning the final beneficiary shall apply *mutatis mutandis* to the Responsible Authority.”

Therefore, the RA will ensure it takes into account the requirement of Annex 11 of 2008/22/EC Chapter II, Categories of Eligible Costs (at project level) II.1.6 *Subcontracting*, which states:

“(1) ...subcontracting ... shall not exceed 40% of the direct eligible costs of a project unless duly justified and approved in advance by the Responsible Authority.”

It is anticipated that post-arrival measures implemented by organisations other than HMG departments will amount to over 40% of total project costs. In this case, the ERF RA will ensure the requirements of 2008/22/EC II.1.6 are fulfilled. This will require acceptance of the duly justified case by the RA.

The case will be based on the unique legal basis of certain types of providers able to deliver major elements of the Gateway project, the context of the national situation, the types of legal agreements which must be signed, and the cost of these activities.

Specifically, for the Gateway project, the case is that:

- Key elements of the provision of post-arrival services for resettled refugees, which primarily include educational and health care actions, can only be provided for by UK Local Authorities and Primary Care Trusts; no alternative providers with the appropriate regional coverage and necessary expertise exist in the UK national situation.
- Compared to the costs for the selection, pre-arrival, and travel elements of the project, these immediate post-arrival services of education and health care (for up to 12 months) are, by their nature, high cost activities.

- UKBA does to enlist the capacity and expertise to undertake other programme activities, such as pre-departure orientation, medical checks, and medical escorts, from other providers. It therefore enters into agreements with these other providers in order to do so. (For the current programme, these have not been re-tendered for the ERF III 2008 year, for the reasons outlined above.)
- Together with costs incurred for other service provision (such as pre-departure orientation, medical checks, and medical escorts), post-arrival costs associated with education and health care are likely to result in over 40% of total project costs being delivered by providers that cannot strictly be classified as part of the same legal entity (that is, the Crown) as the Executing Body.
- Finally, as these are additional services, similar to those which HMG already buys on education and health care in particular, utilising these providers ensures the benefit of economies of scale thereby ensuring that value for money is maximised, within the context of the national situation.
- The bulk of these services (and costs) will be delivered by Local Authorities and Primary Care Trusts. For these entities, only Service Level Agreements, or other equivalent legal agreements, are the appropriate legal instruments which fulfil the public interest by adhering to non-profit principles, and the absence of provision for damages or liability in dispute resolution. They ensure good levels of performance and sanctions if these are not met. It is not possible to enter into contracts with these providers.

Therefore, over 40% of direct project costs may be provided by arrangements which are more akin to sub-contracting than delivery by the Executing Body. As these will mainly fall to activities which can only be undertaken by Local Authorities or Primary Care Trusts, together with the additional reasons outlined above, the RA will accept the justification for approving this in advance. It therefore acts in accordance with Annex 11 of 2008/22/EC Chapter II, Categories of Eligible Costs (at project level) II.1.6. This view has been endorsed by UKBA commercial and procurement lawyers.

d) Expected quantified results and indicators to be used

The UK will fund one internal project on resettlement, the 'Gateway Protection Programme'. The detailed outputs and deliverables will be specified in the application form to be submitted to the independent Apportionment Board for their review. A summary for 2008 Gateway Programme outputs and deliverables is presented here:

Outputs

- 4 Missions to be conducted to select 710 refugees for resettlement.
- At least 750 refugees resettled to the UK before December 2008.
- Health screening conducted for all applicants, and treatment provided where required.
- Pre-departure orientation delivered to all refugees to be resettled.
- Caseworker and support package assigned to all refugees resettled.

- Agreements with at least 13 Local Authorities to receive refugees.

Deliverables

- Contracts for all sub-contracted activity.
- Agreed programme for pre-departure cultural orientation.
- Formal agreements signed with participating Local Authorities.
- An interim and final report.

Tailored indicators to assess the project funded under this action will be developed through the commissioning of the independent evaluation, which will draw on quantifiable outputs that will be assessed during monitoring.

Indicators which could be used to assess the types of resettlement action projects envisaged will constitute a range of output and impact/outcome indicators. These could include, but not be limited to the following:

- Output indicators:

- numbers of refugees resettled and provided with a long term solution to their protection need;
- number of overseas missions undertaken;
- number of resettlement cases assessed;
- number of medical assessments undertaken;
- number of pre-departure / cultural orientation sessions held;
- number of on-arrival cultural orientation sessions held; and
- number of partner organisations participating in resettlement programmes for post-arrival measures (such as housing, mentoring, orientation); or
- provision of assistance (such as through twinning arrangements, information sharing or shadowing opportunities) to prospective new resettlement states in the EU.

- Outcome and Impact Indicators:

- increased awareness of requirements for partner organisations to participate in post-arrival resettlement measures (such as providing housing provision, orientation and information after arrival);
- increased cost-efficiency of resettlement activities;
- expansion of resettlement activities within the UK; or
- expansion of resettlement activities across the EU.

The UK will continue to explore options to establish good practice to ensure the Gateway Protection Programme refugees are resettled and rapidly integrated into UK society through this project, while remaining sensitive to their unique experiences and needs as refugees brought to the UK under this programme.

e) *Visibility of EC funding*

Project managers will be responsible for ensuring the correct reflection of EC funding in project documentation and presentations, and will build on the experience developed through publicising EU funding through the ERF since 2000. They will be expected to fully understand the rules and guidelines regarding visibility and advise project colleagues accordingly. The RA will provide advice or guidance as necessary.

f) Complementarity with similar actions financed by other EC instruments, if appropriate

The UKBA has also bid for funds from the ERF Phase II 2007 Community Actions Programme to implement a trans-national, cross-border resettlement project with Ireland's Office for the Minister for Integration. The project will select and resettle some 105 refugees to Ireland and Northern Ireland in 2009/10. At the time of submitting the ERF III 2008 Annual Programme, the UK and Ireland await the Commission decision on the outcome of this bid.

If successful, a clear distinction will be drawn between the financing provided by the two funding streams of the ERF through which resettlement actions are co-financed, by the financial administrators. This will ensure separation between ERF II 2007 Community Action bid funding, and ERF III 2008 Annual Programme funding.

Monitoring, audit and evaluation activities will also be conducted separately to fulfil the funding requirements.

g) Financial information

The European Commission's emphasis on resettlement is further reinforced through the structure of the ERF III, which contains a specific 'ring-fenced' proportion of the fund purely for resettlement activities (Basic Act 573/2007/EC Article 13 (paragraphs 3 and 4)). A maximum amount of €2.7m / £1.8m out of the total fund is therefore available, subject to the UK resettling 680 individuals during the 2008 calendar year. In the financial year 2008-9, the UKBA target for resettlement is 750 persons. Therefore, the UKBA intends to access the full €2.7m / £1.8m and apportion this money in addition to the resettlement programme. While it is agreed the Commission do not need supporting financial documentary evidence in how the UK spend this money the UK believe it is important to highlight this fact to demonstrate our commitment to the resettlement programme.

In addition, the UKBA proposes to allocate a further €4.4m / £2.9m of the remaining funds to resettlement activities during 2008.

The total funds therefore allocated/apportioned to Resettlement in the 2008 Annual Programme equate to €7.1million / £4.7 million (76%).

Match funding will be provided by UKBA.

4. TECHNICAL ASSISTANCE

4.1 Purpose of the technical assistance

As part of the continuing improvements to the management and administration of European Funding in the UK following various European Commission and European Court of Auditor audits of the UK European Refugee Fund I 2000-2004 (ERF I) and ERF II 2005-2007 (ERF II), a range of technical assistance measures have been developed and improved by the UK.

It is the intention of the UK to fully utilise the Technical Assistance allocation as defined in Article 16 of 573/2007/EC to finance the requirements of Articles 27 and 30 of Basic Act 573/2007//EC.

Through the measures presented here, it is envisaged the UK ERF RA will excel in fulfilling the requirements of Article 27 of 573/2007//EC. The measures also ensure the UK conforms to the requirements set out in Article 15 of Commission Decision 2008/22/EC. Together, these draw on best practise expertise which the UK has developed in its administration of ERF co-financing.

Technical assistance will be regularly provided by the RA through a variety of channels. Listed below are details of the technical assistance contacts between the RA and final beneficiaries, both on a one to one basis, as well as in formal workshops. In addition, the RA will provide all support required at the start up stage to newly funded projects, in order to reduce the risk of project failure and to ensure that they adhere to all ERF III rules and regulations from the start.

A key feature of the UK RA technical assistance is the focus on extra provision during the initial stages of ERF III funded projects' establishment. By working closely with the projects at the outset, the RA ensures that all funded beneficiary organisations are fully aware of the requirements of ERF III funding. It also ensures that the RA is forewarned of any difficulties experienced by the projects, and will then target technical assistance accordingly. Moreover, it assists the RA in ensuring sound financial and value for money procedures are established by all projects from the very start of ERF III co-financing.

4.2 Expected quantifiable results

Technical Assistance will cover the following actions for the 2008 projects, both pre- and post-selection:

- Pre-application workshop – an event open to all potential bidders, to:
 - situate the ERF III external tender call within the EU and UK policy framework;
 - outline the technical aspects of ERF III project implementation, including monitoring and audits; and
 - outline the UK RA application process requirements, included budget submission in the ERF III toolkit format.

- Preliminary workshop – for all selected projects, to outline both the financial management and general funding requirements, building and supplementing information provided in the pre-application workshop.
- Initial Monitoring Visit – within first 3 months of project start date.
- Post-monitoring action plans, if required.
- Workshop to assist projects with interim financial and progress report submission.
- 2nd Monitoring Visit – within 7-10 months of the annual funding year.
- Post-monitoring action plans, if required.
- 2nd Workshop to assist projects with completing their final financial and progress reports.

In addition, the UK technical assistance allocation will also be utilised to:

- undertake a formal evaluation and develop tailored indicators;
- conduct interim and final audits of projects, as part of the strategy to ensure sound financial management procedures; and
- finance staffing costs of the RA team, plus staff involved with the monitoring, audit and certification of ERF III 2008 projects.

Additional measures which the UK has implemented for ERF III, which will be operational during the 2008 programme year include:

- the redesign of the Application Form to ensure all successful bidders have given clear and measurable outcomes and outputs. Technical Assistance will be used to ensure that projects adhere and conform to these stated aims and objectives;
- development of tailored monitoring criteria for each project. This will ensure projects provide regular monitoring information to the RA on progress and delivery, thus facilitating the RA monitoring of outputs that represent value for money; and
- Additional clauses to Grant Agreements that require strengthen the RA's receipt of timely monitoring and output data.

4.3 Visibility of EC funding

As defined in Article 34 of Commission Decision 2008/22/EC the RA will ensure all projects receiving over €100,000 (approximately £67,500) will display a permanent plaque detailing the name of the project and timing of EC funding.

In addition all projects will prominently display the EC logo on published reports, journals and any other publication regarding the project co-financed by the Commission as set out in Article 35 of Commission Decision 2008/22/EC. Compliance with this will monitored by the UK RA.

5. OTHER OPERATIONS

Basic Act 573/2007/EC of the European Parliament and Council establishing the European Refugee Fund for 2008-13 (Basic Act 573/2007/EC) Article 13 (3) states:

“Member States shall receive a fixed amount of €4,000 for each resettled person falling into one of the following categories:

- (a) persons from a country or region designated for the implementation of a Regional Protection Programme;*
- (b) unaccompanied minors;*
- (c) children and women at risk, particularly from psychological, physical or sexual violence or exploitation; and*
- (d) persons with serious medical needs that can only be addressed through resettlement.”*

In accordance with Basic Act 573/2007/EC Article 13 (6) and SOLID/2008/16, this chapter provides details on the procedures which will be utilised when the UK resettles its specified pledge of 680 persons who qualify according to Basic Act 573/2007/EC Article 13 (3), during the calendar year 2008.

This pledge was submitted to the Commission by 1 May 2007, in compliance with Basic Act 573/2007/EC Article 13 (6) for the ERF III Annual Programme 2008. This Chapter, plus the Financing Plan in Chapter 6, provide further indications of the operational measures which are relevant to this ERF III 2008 pledging, for the annual programme year. These proposals are developed in accordance with the UK MAP, submitted to the Commission for ERF III 2008-2013.

The UK proposes to use the fixed amount to resettle persons from three of the four specific categories: countries or regions designated for the implementation of a Regional Protection Programme, Children and Women at Risk, and Serious Medical Cases. The UK's submitted pledge of 680 persons is therefore targeted to be broken down between these three categories. Exact numbers and amounts will be presented in the interim progress and final reports, as specified in SOLID/2008/16.

This chapter presents the measures and provisions in the UK with which the needs of persons resettled under each of these four specific categories are addressed, where applicable, from selection procedures to post-arrival measures.

In total, four resettlement missions are proposed for the calendar year 2008. These are currently targeted to be:

- 3 x missions to Jordan (Iraqi caseload); and
- 1 x mission to Tanzania (D.R. Congolese caseload).

The following sections provide further information on the logistical provisions which will be available to qualifying Basic Act 573/2007/EC Article 13 (3) persons, within the parameters of the UK resettlement programme.

5.1 Persons from a country or region designated for the implementation of a Regional Protection Programme

The UK pledging may include resettled persons from a country or region designated for the implementation of a Regional Protection Programme, and are included in the target of 680 persons for 2008.

Whilst persons resettled from these countries or regions do not receive specific additional assistance within the parameters of the UK resettlement programme in general, compared to those resettled from countries or regions not included in Regional Protection Programmes, they do receive specific assistance where there are additional considerations which require this.

This includes, for example, where there may be requirements relating to serious medical cases, when the necessary provisions will be made (see, for example, sections 5.3 and 5.4 below). However, this applies to all UK resettlement cases, irrespective of whether the resettlement candidate comes from a Regional Protection Programme area or not.

5.2 Unaccompanied minors

The UK does not currently accept unaccompanied minors for resettlement through its programmes. No targets are included in the pledging for the 680 persons.

5.3 Children and women at risk, particularly from psychological, physical or sexual violence or exploitation

Children and women at risk are resettled to the UK, and are included in the pledged 680 target for 2008.

Arrangements are made at all stages of the resettlement process. These include the selection, pre-departure and post-arrival support elements of the resettlement process. Specific provisions and considerations include:

- Liaison with UNHCR pre-submission to ensure submission of at least 10% of women at risk referrals in line with Ex-Com Conclusions;
- Same gender interviews for women at risk;
- Specific training provided for interviewing officers assessing children and women at risk;
- Pre-departure health screening to include indication of level of trauma and psychological report, where required, and be sent directly to the receiving health authority;
- Counselling to be provided by service provider during health screening where assessed as appropriate;
- Prioritisation of case decisions and swift allocation of cases to local authority areas in the UK;
- Pre-departure sharing of pertinent information about case with front line casework support function in local authority, to ensure case is allocated an appropriately trained post-arrival support caseworker; and
- Regular monitoring of post-arrival support provided to children and women at risk by local authority provider.

5.4 Persons with serious medical needs that can only be addressed through resettlement

Persons with serious medical needs are resettled to the UK, and are included in the 680 target for 2008. This includes refugees:

- whose condition is life threatening without proper treatment which is currently unavailable to them; or
- where their health condition presents a significant obstacle to leading a normal life and achieving self-sufficiency; or
- where their current situation prevents them from becoming well-adjusted and from functioning at a satisfactory level.

In line with UNHCR's definition of medical needs, priority is given to the needs of persons whose medical condition is directly related to their persecution, flight of exile and to women alone or with children/dependants.

Arrangements are made at all stages of the resettlement process. These include the selection, pre-departure and post-arrival support elements of the resettlement process. Specific provisions and considerations include:

- Liaison with UNHCR pre-submission on number and type of medical cases to be referred;
- Modification of UKBA interview to take into account the medical condition of the individual;
- Thorough medical screening, including secondary screening by IOM, where required, to assess if there would be favourable prognosis were they to be resettled and provided with the treatment required;
- Prioritising casework decision on cases with medical needs;
- Providing a medical escort on flights and travel where required; Ensuring allocation to the local authority which has committed to providing the treatment required, not only for the duration of the 12 month post-arrival support funding but longer-term;
- Liaison with Primary Care Trust and Education authority (where required) to ensure facilities are in place ahead of arrival; and
- Liaison with housing authority to ensure housing adaptations are in place, where required, ahead of arrival.

6. DRAFT FINANCING PLAN

This final chapter of the 2008 Annual Programme Proposal presents the draft financial plan proposals, for each eligible action, in both Euros and Pound Sterling.

Table 3 (a): Annual Programme – Draft Financial Plan (€)

Annual Programme – Draft Financial Plan								
Table 2: Overall table in €								
Member State: UK								
Annual programme concerned: 2008								
Fund: European Refugee Fund Phase III								
<i>(all figures in euro)</i>	Ref Priority	Ref. specific priority (1)	Community Contribution (a)	Public Allocation (b)	Private Allocation (c)	Total (d=a+b+c)	% EC (e=a/d)	Share of total (d/total d)
Action 1: Reception	n/a	n/a	0	0	0	0	0	0
Action 2: Integration	Priority 1: integration	n/a	1,558,851.00	0	1,558,851.00	3,117,702.00	50%	21%
Action 3: Development of asylum policies	n/a	n/a	0	0	0	0	0	0
Action 4: Resettlement	Priority 3: resettlement	n/a	4,409,379.42	4,409,379.42	0	8,818,758.84	50%	58%
Transfer of refugees between MS.	n/a	n/a	0	0	0	0	0%	0
Technical Assistance	n/a	n/a	481,479.70	0	0	481,479.70	100%	3%
Other operations	n/a	n/a	2,720,000.00 ⁶	0	0	2,720,000.00	100%	0
Total	0	0	9,169,710.12	4,409,379.42	1,558,851.00	15,137,940.54	60%	100%

⁶ This refers to the fixed amount allocated to the UK for Article 13(3) of 573/2007/EC

Table 3 (b) Annual Programme – Draft Financial Plan (£)⁷

Annual Programme – Draft Financial Plan								
Table 2: Overall table in £								
Member State: UK								
Annual programme concerned: 2008								
Fund: European Refugee Fund Phase III								
<i>(all figures in £)</i>	Ref Priority	Ref. specific priority (1)	Community Contribution (a)	Public Allocation (b)	Private Allocation (c)	Total (d=a+b+c)	% EC (e= a/d)	Share of total (d/total d)
Action Reception	1:	n/a	0	0	0	0	0	0
Action Integration	2:	Priority 1: integration	1,052,847.96	0	1,052,847.96	2,105,695.92	50%	21%
Action Development of asylum policies	3:	n/a	0	0	0	0	0	0
Action Resettlement	4:	Priority 3: resettlement	2,978,094.85	2,978,094.85	0	5,956,189.70	50%	58%
Transfer of refugees between MS.		n/a	0	0	0	0	0%	0
Technical Assistance		n/a	325,191.39	0	0	325,191.39	100%	3%
Other operations		n/a	1,837,088.00 ⁸	0	0	1,837,088.00	100%	0
Total		0	6,193,222.20	2,978,094.85	1,052,847.96	10,224,165.01	60%	100%

⁷ The conversion rate for Euro is 0.6754.

⁸ This refers to the fixed amount allocated to the UK for Article 13(3) of 573/2007/EC

AUTHORISATION

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[SIGNATURE OF SENIOR RESPONSIBLE PERSON]