

# MISSING THE SAFETY NET

**NACCOM**   
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**REFUGEE  
ACTION**



# EXECUTIVE SUMMARY.

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In this report we look at the experiences of people who have been denied asylum by the UK government, but, for various reasons, are unable to return to their home countries.

Our data shows that the Home Office is frequently failing to provide people with the support that they are entitled to in a prompt and timely manner. This means that people are left without a safe place to sleep or food to eat, putting their lives

at further risk, sometimes for extended periods of time.

There are many reasons why people may end up refused asylum but unable to leave the country. It may be because they are waiting to receive the documents that allow them to travel, which can often take a long time to obtain, or because they are physically unable to travel due to an illness or pregnancy. It may also be because they are at



risk of persecution, torture or even death if they are sent back to their country of origin, and are obtaining additional evidence to support their asylum claim.

For many years, the Government has recognised that it has a duty to ensure that people in such situations can access the basic necessities they need to survive, otherwise – unable to work and provide for themselves – they will end up destitute and on the streets. This support takes the form of basic accommodation, plus £35.39 each week for one person, loaded onto a pre-paid card. It barely covers essential living needs. Yet it provides a lifeline for those who would have no other way to survive.

We carried out research between January and July 2019, based on an analysis of 200 case files collected by eight organisations across the UK. Our data shows that:

- Some people had waited **several months** for a decision on their support, with one person **waiting 124 days** for their decision;<sup>1</sup>
- Almost half (44%) of applicants had **waited more than two weeks** for a decision on their case, often with no other way of supporting themselves;
- On average, people **waited 14 days** for a decision on their asylum support application. This is **seven times longer** than the 2-day maximum that decisions should take for the most vulnerable applicants, and **three times longer** than the 5-day maximum that all decisions should take according to the Home Office's own guidance. While they wait people frequently have no means to support themselves and may become street homeless;
- Home Office Requests for Further Information often result in additional delays to support decisions. But an analysis of such requests found that **only half** (52%) of questions asked were necessary for the purposes of determining an applicant's entitlement to asylum support.

- Where an appeal was made against a refusal of support, in 91% of cases this was successful. However, people who received support at appeal were forced to **wait on average 35 days** for this decision.

The immediate impact of support delays can be terrible: with nowhere else to go, people may be forced to sleep rough or go for days without eating a proper meal. In the longer term, the impact on their physical and mental health, as well as that of their children, can be devastating.

In this report, we are not asking for the introduction of new policy or legislation but are simply **calling on the Home Office to follow its own guidance for asylum support decisions**. This states that a decision should be made on a person's entitlement to Section 4 support a maximum of 5 days after they apply, or after 2 days for people who are particularly vulnerable. We are also asking the Home Office to monitor and publish its own performance on asylum support, as currently there is no way for the department to know whether it is meeting the timescales it has set itself. Without urgent action, we risk maintaining a damaged system that means that some of the most vulnerable people in the UK are forced further into destitution and homelessness.

We recommend that the Home Office acts urgently to ensure:

- All applicants for Section 4 support **receive a decision on their applications within a maximum of 5 days.**
- Particularly vulnerable applicants **receive decision on their asylum support application within 2 days,** and that any further evidence required is sought after the individual is provided with support.
- **Performance data on asylum support decisions is monitored and published,** in order to ensure accountability for delays.

# INTRODUCTION.

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The moment somebody is refused asylum in the UK, they are expected to begin the process of returning to their home country. For some, this will be the right thing for them to do – they may be able to return to their country of origin with relative ease and in relative safety and begin to rebuild their lives. But for others, for reasons beyond their control an immediate return to their home countries may not be possible. This could be because their own country refuses to accept that they are a citizen and, without official documentation, they cannot prove the contrary; alternatively, they may be so sick that they are physically unable to travel. For others, they may continue to be in genuine need of protection, and are acquiring new evidence to show this.

In such cases, longstanding UK legislation means that the Government has an obligation to support such individuals, usually if they can show that either they are making all possible efforts either to return to their home country or to regularise their status in the UK, or they are unable to travel home due to medical reasons. Like people seeking asylum more generally, those whose asylum claims have been refused are not allowed to work and so would be left destitute and homeless without the food and accommodation that they receive from the Government, called Section 4 support.

Yet the current system of support provision means that many people are left waiting for long periods of time before they are granted even this basic support, which amounts to little more than £5 per day on a pre-paid card. Our research shows the extent of these delays and the impact that they have on some of the most vulnerable people living in the UK. In all cases, people on Section 4 support are by definition not able to return to their home countries, despite in many cases making enormous efforts to do so. Leaving them without support for long periods of time, without the option of any other means to support themselves, can put people's lives at risk.

## WHAT IS SECTION 4 SUPPORT?

While somebody is waiting for a decision on their asylum claim, they are usually not permitted to work and the Government is therefore legally obliged to provide them with basic support so that they can survive. However, if their asylum claim is refused, in most cases the support that they were previously receiving – called 'Section 95' support, as it relates to Section 95 of the Immigration and Asylum Act 1999 – is discontinued.<sup>2</sup>

Section 4(2) of the 1999 Immigration and Asylum Act allows for the provision of 'Section 4' support to a limited number of people whose asylum claims have been refused, and who are therefore no longer eligible to receive Section 95 support. In addition to being able to demonstrate that they are destitute and need the Government to support them, Section 4 support demands that people can also show that they fill one of the following criteria:

- **They are taking all reasonable steps to leave the UK or place themselves in a position in which they can leave the UK.** This includes, for instance, people who are trying to obtain a travel document or ticket to return to their country of origin, but are having to wait for this to come through.
- **They are unable to leave the UK by reason of a physical impediment to travel or for some other medical reason.** This includes women in the late stages of pregnancy or those with a baby under 6 weeks old. Applicants must provide a Doctor's letter stating they are not fit to travel.
- **They are unable to leave the UK because in the opinion of the Secretary of State there is currently no viable route of return available.** There are currently no examples of countries to which the Secretary of State believes there to be no viable route of return.

→ **They have made an application** in Scotland for judicial review of a decision in relation to their asylum claim or, in England and Wales or Northern Ireland, have applied for such a judicial review and been granted permission or leave to proceed.

→ **The provision of accommodation is necessary for avoiding a breach of a person's human rights.** This is the most common reason for applying for Section 4 support, often because the individual has made further submissions of evidence to the Home Office on their asylum claim, which will be treated as a 'Fresh Claim' if accepted.

## WHAT IS IT LIKE TO LIVE ON ASYLUM SUPPORT?

Section 4 provides accommodation and support to the value of £35.39 per week. This is loaded onto a payment card called the 'ASPEN' card, meaning recipients are often unable to pay for items that require cash or in shops where the card is not accepted. Section 95 provides accommodation and support to the value of £37.75 per week. It is also paid onto an 'ASPEN' card, but can be used to withdraw cash. We asked some people to tell us what it is like to live on Section 4 or Section 95 support, often for long periods of time:

With £36 to live on, it's really really difficult. It means a lot of sacrifice - I don't eat sometimes. I go to food banks and get food that I often can't eat, because I am a Muslim. Most of the things they have are non-halal. I am forced to eat what I have, not what I want to eat. You eat a lot of canned food, which is not good for your health. You can't afford fresh foods.

Kemi

It's very difficult, but what can I do? I am breast feeding, so I want to eat well so that my baby gets fed well. I have to eat for my baby. When I eat good food, she eats well. This is so difficult for me - £37 is so little to buy toys, clothes, nappies, food, baby stuff. It's not enough, but what can I do, I have to wait.

Lina

Section 4 support, after struggling and being so desperate, made me glad. [But] after getting it I realised the problems with only having a card. You can only use it for food shopping. There's nothing cash-wise in your hands, and you're very limited. There are things I need sometimes, like transportation which I can't afford... Without cash, I can't shop at the places I can afford. It is not a lot of money, but the shops that take card are expensive. There are times where I really need coins for little bits and pieces.

Weyneshet

Because I came from Venezuela, which is a very warm country, I never needed a big coat, I never saw snow, so being here in the UK pushed me to find coats, jumpers, jackets - things I never needed before. How do you do this with £5 a day? It's so hard. When I need to cover a special expense, I just eat less.

Emmanuel

We earn £36 a week. With £36 a week - if I want to go out, I have to pay a one-way journey £4... If it's an all day ticket, it's £5.80. So if I pay £5.80 today out of that £36 - there's not much over really - so I don't go outside, I don't meet people, I don't see anyone because I can't afford to travel.

Mariyan



Since the current system for support was brought in, following the 1999 Immigration and Asylum Act, there has been a considerable amount of research published that examines the causes and experiences of destitution for people who have been refused asylum. Some of this body of research looks specifically at the delays in accessing Home Office support and the reasons for this. Most of these reports have found that people accessing Home Office support experience a delay:

- ➔ Between 2013 and 2016, the Asylum Support Appeals Project (ASAP) published research looking at the quality of UKVI decision making in relation to the destitution test and how this unnecessarily delays applications for Section 4 support. In 2013 their research found that 70% of applicants waited more than 2 weeks for a decision on their Section 4 support, of which 55% waited between two and eight weeks and 15% waited nine to 21 weeks.<sup>3</sup> In 2015 they found that only 50% of the Section 4 cases reviewed were decided within the 5 day target;<sup>4</sup> and in 2016 they looked at delays for people accessing Section 4 support following a successful asylum support appeal and found the average wait to be 18 days to be accommodated following an appeal.<sup>5</sup>
- ➔ In 2017 Refugee Action looked at over 300 applications of people applying for Section 95 support. They found there to be a poor application of the UKVI test for destitution in deciding applications which contributed to delays in accessing support. Out of 107 cases they looked at, there was an average wait of 58 days from making an application to being accommodated.<sup>6</sup>
- ➔ In 2018, Refugee Action repeated this research for both Section 95 and Section 4 applications. Their research was based on 162 support applications that Refugee Action assisted with from May 2017 to May 2018 (81 applications each for Section 95 support and Section 4 support) across their projects in Birmingham, London and Manchester. This research showed that destitute people in the asylum system continued to struggle to obtain the

support they so desperately need. According to the figures, people waited on average more than three times the length that they should have for Section 95 support, and over a month for Section 4 support; waiting times for the latter shot up to 51 days for applications made in April 2018, coinciding with the introduction of the new ATLAS database.

- ➔ In February 2019, the Destitute Asylum Seeker Service (DASS) run by Refuge Survival Trust partnered with the British Red Cross, Scottish Refugee Council, and Glasgow Night Shelter to gather data on the extent to which people refused asylum exercise their rights to access support. They found that “[t]hose applying for support often experience delays in decision making, because of the high and complex destitution evidence thresholds set by the Home Office. This is compounded by administrative weaknesses in communications between the Home Office and Migrant Help, which is contracted to deliver information and advice to asylum seekers.”<sup>7</sup>

The Government’s own guidance on Section 4 decisions states that:

**“[g]enerally, decisions should be made within 5 working days, but careful consideration should be given to any additional factors that call for the case to be given higher priority and the decision made more quickly.”**

The guidance gives a list of circumstances whereby “reasonable efforts should be made to decide the application within 2 working days.” This includes where the applicant is street homeless, elderly, disabled, pregnant, a survivor of torture, rape or other serious forms of psychological, physical or sexual violence, or a potential victim of trafficking. Yet research to date – along with our findings, outlined below – show that the Home Office is failing to meet its own timelines on Section 4 decisions, with terrible consequences for the individuals affected.

# OUR FINDINGS.

Between January and June 2019, eight organisations across the UK collected data on the asylum support applications that they had assisted people to make. A total of 200 applications were collected, and from these we found:

- On average, **people waited 14 days** for a decision on their asylum support application. This is **seven times longer than the 2-day maximum** that decisions should take for the most vulnerable applicants, and **three times longer than the 5-day maximum** that all decisions should take according to the Home Office's own guidance.
- One person had been **waiting 124 days** to receive a decision on their section 4 application, with their application still pending when our data collection ended in June 2019.
- Of the 200 cases, **almost half of applicants (44 percent) had waited more than 14 days** for a decision on their case.
- People who had received requests for further information on their applications **waited on average a total of 25 days** for a response to their application.
- **91 percent of appeals against refusals were successful.** People who received a grant of support at appeal had **waited on average 35 days** for this decision.

# WAITING FOR A DECISION.

On average, the length of time that people waited for a decision on their Section 4 support application was 14 days (11 working days). This is almost three times the maximum amount of time that a decision should take, according to the Home Office's own guidance. It is seven times the recommended time for a decision on a support application from a vulnerable applicant. Furthermore, receiving a decision can often be just the first step in a long process to actually receiving support. After they are granted support, people frequently wait another week – and often far longer – before the housing providers subcon-

tracted by the Home Office are able to find them accommodation. This makes it even more essential that Section 4 decisions are made promptly.

Unlike Section 95 provision, which allows for emergency ('Section 98') support if an applicant becomes street homeless while they wait for a response on their application, people waiting for a Section 4 decision are unable to access any emergency form of support while they wait. Delays in support applications therefore risk leaving some of the most vulnerable people destitute or even street homelessness.



## MOAMIN.

Moamin arrived in the UK in 2005, and after more than a decade in the asylum system, was put in immigration detention. There he was granted Section 4 support, but it had expired by the time he had his bail hearing. After being detained for 20 months, he was released to stay with a friend, but shortly afterwards became street homeless.

Moamin made another application for support and slept outside for 3 weeks in the middle of winter. Eventually, he was given a bed by Asylum Link and was able to escape the cold whilst he continued to wait for a decision on his support application.

*"I was calling to see what was happening and I was told to stop 'cause I was holding up other people ... I'm trying to fill out lots of forms I find, but they get back to me and tell me that for you, it's Section 4, you have to wait. But I'm volunteering with Asylum Link so I know that they need the bed space for other people... I'm trying to do everything I can to get the Section 4 support."*

Moamin never received a decision on his November 2018 application and was told to submit another. At time of speaking to NACCOM, he had been waiting for 21 days.

*"The best thing to say is it's horrible, I just can't say it another way. The government should not be breaking the law... they should be following their own rules."*



# APPEALING A DECISION.

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Of the 200 cases looked at between January and June 2019, 57 were initially refused Section 4 support. Forty-four of these decisions were subsequently appealed, and of them 40 (91 per cent) resulted in a grant of support (34 won the appeal, five were withdrawn by the Home Office, meaning support was granted, and one was remitted to the Home Office for a new decision, which will normally result in a grant). The applicants who were successfully granted support on appeal had waited, on average, a total of 35 days to receive this decision – meaning that an additional 21 days was added to their wait for support without any means to support themselves during this period.

Our figures echo the appeal data collected by the Asylum Support Appeals Project (ASAP), who offer legal representation and advice to people appealing against a Home Office decision to refuse support at the Asylum Support Tribunal. From January to June, ASAP represented 301 appellants in appeals against refusals of asylum

support, amounting to 59% of all the cases listed at the Asylum Support Tribunal. Of the 301 cases they represented, 60% were overturned at appeal, 23% were refused, and 12% were remitted. This means just 5% of rejections were maintained.

Of those cases which were successful at appeal the most common category for appeal which was overturned was those based on further submissions, which amounted to 52% of overturned Section 4 decisions. Within those further submissions cases the ones which were overturned the most at appeal were the ones in which further submissions had been prepared but not yet sent (this amounted to 27% of all the appeals which were successful). 28% of the successful appeals related to the way in which the Home Office had applied the ‘destitution test’, and initial refusals in which an applicant was found not to be destitute. The third highest category of successful appeals was those in which an applicant’s fitness to travel was disputed.

# DELAYS FOR PREGNANT WOMEN.

A particularly worrying trend that emerged from our findings was that applications in which a pregnant woman was the main or joint applicant were significantly delayed in accessing support that they were entitled to. The Home Office accepts that women who are at least 34 weeks pregnant are unable to leave the UK as there is a physical impediment to travel. Similarly, it is also considered that women with babies under 6 weeks old are unable to travel. This 12-week 'window' for receiving

support makes prompt support decisions even more essential; if support is delayed, a woman who has applied in time may be unable to access the support that she is entitled to at all, thus potentially leaving her destitute upon the birth of her baby. In four cases that were looked at in more detail, such delays were due to repeated and sometimes unnecessary requests for further information, and despite applying in plenty of time, not one of the women was able to be housed before the birth of her child.



## LINA.

Lina arrived in the UK in 2014 and applied for asylum. She waited a year before she was given an interview, and her asylum claim was subsequently refused. Lina appealed this decision and had to wait another two years for a decision on her appeal.

After her decision came through, Lina mistakenly thought she had been refused and sought permission to appeal. Although she was still awaiting a decision on her claim, the Home Office discontinued the support she had been receiving throughout the asylum process.

*"My due date was 27 April, and the Home Office sent me a letter telling me remove myself from the house - when I looked at the date of the letter, it was dated 27 April. On my due date.*

*I was 40 weeks pregnant, when they sent me this letter. How could I remove myself from the house? I was heavily pregnant, where was I supposed to go, what was I supposed to do? I don't know what the Home Office [was] thinking.*

*They took away my support - can you believe it? I was 40 weeks pregnant - 40 weeks! - and they took away my support. They only gave my support back a few weeks after I gave birth. After my baby was 3 weeks old, they started my support again."*

Lina was eventually supported by GMIAU to apply for asylum support, but she told us that if they had not supported her she would have been left homeless, with nowhere to go. And even after her support application was made, Lina had to wait several weeks for the support to actually come through. At the time of writing she has been waiting for almost three months and still hasn't received support for her baby.



## WEYNESHET.

Weyneshet was 3 months pregnant when she first applied for Section 4 support. After her initial asylum claim had been refused she was evicted from the accommodation that the Home Office had provided her.

*"I was at college on a Tuesday when the housing manager called me and told me she was throwing me out of the house. I asked her to please wait for me to come home, and she refused, and threw all my stuff out. I had just been there for a few weeks."*

With nowhere to go, her neighbours took pity on her and allowed her to sleep on their sofas. However, these were not people that Weyneshet knew well and she knew that she needed to find a safe place to stay as soon as possible.

Weyneshet had submitted further evidence on her asylum claim, so she was eligible for Section 4 support. Yet it took over five months for a decision to be made on her asylum support application.

*"During that time I received no support. It was an extremely difficult time for me I had to go to so many places trying to find help. The only money I got was from the Red Cross, who were helping me by giving £10 a week. I was using the £10 to buy cheap food from a foodbank. It was such a difficult situation to be in, especially when I was pregnant. [I was] very tired... You want to just sit sometimes, you want to have a home where you can rest, eat well - but I didn't have any of these things."*

*The midwife was asking me questions - are you eating well, how are you getting on - what could I say? I was so worried that my child would not be ok, because I wasn't eating well and I didn't have anything of what a pregnant woman should have at the time of pregnancy."*

When her Section 4 support was finally granted, Weyneshet was relieved that she would now have somewhere safe to live, and would be able to afford to buy herself healthy food. But she still struggles with the fact that Section 4 support goes onto a pre-paid card that is not widely accepted:

*"You can only use it for food shopping. There's nothing cash-wise in your hands, and you're very limited. There are things I need sometimes, like transportation which I can't afford. Without cash, I can't shop at the places I can afford. It is not a lot of money, but the shops that take card are expensive. There are times where I really needs coins for little bits and pieces."*



## SECTION 95 ASSISTANCE

Refugee Action has previously highlighted concerns around delays in making asylum support decisions for people who are still waiting for their asylum claim to be decided. The type of support given to people is called 'Section 95' support and provides people who appear to be destitute or likely to become destitute with £37.75 per week (which, unlike Section 4 support, can be taken out as cash or used directly in certain shops) and optional accommodation. Whilst support rates were previously set at 70% of mainstream benefits, over the years this link has broken and asylum support rates are currently set at just over 50% of income support for people aged over 25.

'Slipping through the Cracks', released in 2017, found that people seeking asylum waiting for accommodation and financial assistance had to wait on average almost two months from applying for support to being accommodated. Those applying for financial assistance only

were waiting an average of around 90 days from application to receiving support.

Since then, the situation has improved. Along with the data collected on Section 4 applications, between January and June 2019 monitoring was also done on a small number of Section 95 applications.

Of 31 Section 95 cases collected, applications took 20 days to receive a decision. Of these, the six people who applied for subsistence-only (i.e. cash) support waited 29 days on average for a decision. This is still longer than the 14-day maximum time period that Refugee Action has proposed for Section 95 support decisions, which aligns with the 'destitution test' that support applicants must meet. But these figures indicate that the situation for people applying for Section 95 support is slowly improving, and that improvement is certainly achievable where the will exists.



## REQUESTS FOR FURTHER INFORMATION

There are various reasons why people's support applications may take longer than the stated 2- or 5-day windows to be decided. These include not only the Home Office's own timeline for processing applications, but also the processes and systems that are in place for Migrant Help, who are sub-contracted to manage the application process, to send an application on to the Home Office. In theory, the Home Office should ensure that these timelines – including those that are outsourced to external organisations – allow for timely decision making. However, one common reason that such applications can take longer is that the Home Office request further information from applicants. The rationale for this is that, where the Government requires further information to assess whether a support applicant "appear[s] to be destitute" or to confirm that they fulfil one of the conditions of Section 4 support outlined above, additional information may be required of them. And, where the applicant has failed to provide information to this effect, it is understandable that the Home Office has not been able to make a decision within the required timeframe.

However, an analysis carried out by Refugee Action of 77 Requests for Further Information (RFIs),<sup>8</sup> 59 of which were Section 4 applications, suggests that this mechanism is not currently being used in the way it was intended and is directly contributing to further delays, often unnecessarily. Of the 234 questions asked within the RFIs, almost half (48%) were found to be unnecessary for the purposes of determining an applicant's entitlement to asylum support. This was either because the information had already been supplied within the original application form or because the question was unnecessary for the legal test of destitution. Only 43% of RFIs were wholly necessary to determine an applicant's entitlement to support, with a quarter (25%) of cases found to have RFIs that were as a whole totally unnecessary, meaning

there were no questions within the RFI that were necessary to determine an applicant's entitlement to support. The remaining RFIs were only partially necessary to determining an applicant's eligibility for support.

## DELAYS FOR VULNERABLE PEOPLE

Within the analysis of these 77 cases, moreover, we identified specific vulnerabilities amongst support applicants. In particular, there were a high number of applicants with severe mental health issues and/or risk of suicide who were without support and had cases which were not prioritised.

Seventeen of the applicants had mental health problems, the majority of which were serious, and five were at risk of suicide. However, only two of the applicants were referred to and dealt with through the safeguarding procedures at the Home Office. In some cases, mentioning the mental health or suicide risk actually delayed rather than sped up the decisions on support applications. In one case, for instance, a medical letter was included to emphasise the applicant's serious mental health issues to ensure a quick decision, and instead of prioritising the case the Home Office replied with an RFI asking about the mental health issues – despite this not being necessary for a decision to be made on the individual's eligibility for Section 4 support – which resulted in the decision for support being unnecessarily delayed.

There were 4 cases involving either a pregnant applicant or dependant. All cases were delayed well above the average length of delay, and despite applying with plenty of time before giving birth, not one of the women was able to be housed before the birth of their child. They all gave birth not knowing how they would support their babies or if they would even have a safe place to live.

# CONCLUSION AND RECOMMENDATIONS.

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The asylum support that the Home Office provides to people is the most basic and essential of safety nets for those who have no other means of supporting themselves. It is not designed to ensure that they are able to live comfortably, and indeed there is considerable evidence to suggest that the amount of support provided does not allow people to meet their essential living needs, and that the conditions in which people live are often squalid.<sup>9</sup> Despite this, however, this support can mean the difference between having a roof over one's head or spending the night on the streets. When this is the case, it is essential that people are able to rely on the Home Office to follow its own guidance and provide them with assistance in a timely manner.

The recommendations that we make below are neither radical nor, indeed, new: we are, once again, merely calling on the Home Office to follow its own guidance when people make an application for support, and to make decisions on such applications within the stated time period set out in its own guidance.

We also believe the department should, for the sake of transparency and in its own and the public interest, monitor and publish its performance against these targets. Our evidence shows that, currently, the Home Office is consistently failing to meet its own standards when making decisions on Section 4 support. Every day, the charities that work to assist people seeking asylum with accessing the support they need and are entitled to see the consequences of delaying this support – sometimes these delays only last a few days, but at other times people wait weeks or even months before they are able to access the £5 per day that will allow them to survive. This situation must change urgently, in order to ensure that nobody is forced on to the streets as a result of administrative delays.

To ensure that everybody who applies for asylum support receives a prompt response, the Home Office should urgently act on the following recommendations:

- **All applicants for Section 4 support must receive a decision on their applications within a maximum of 5 days.** This will bring practice in line with the Department's own guidance and ensure that people are not left unnecessarily destitute as a result of delays.
- As per current guidance, those applicants identified as particularly vulnerable **must receive a decision on their asylum support application within 2 days.**
- For vulnerable applicants, given that they tend to delay decisions, **Requests for Further Information should never be used.** If further evidence is required to satisfy the Home Office that a vulnerable applicant is destitute, the individual in question should first be **provided with support and further evidence sought only afterwards.**
- The Home Office should ensure that a **clear and transparent escalation process** is in place where support applications are delayed beyond the maximum timelines, and that where needed **emergency accommodation can be made available.**
- The Home Office must **monitor and publish data on its own performance** in providing Section 4 support, in order to ensure accountability for delays. Crucially, monitoring must identify where delays and blockages are occurring so that these can be addressed. **Migrant Help and other sub-contracted partners should be required to report on their own performance in this area.**



# ACKNOWLEDGEMENTS.

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Names within the report have been changed for anonymity purposes.

## PARTNERS.



## ENDNOTES.

- 1 This did not affect the median waiting time.
- 2 Currently, somebody who has been refused asylum retains Section 95 support, which provides accommodation and £37.75 per week for each member of the family, if they have a dependent child who was born before their asylum claim was decided.
- 3 ASAP., UKBA decision making audit, one year on, still 'no credibility' (2013) [www.asaproject.org](http://www.asaproject.org)
- 4 ASAP., Destitution: Unchecked Unbalanced – Home Office decision making on asylum support (2015) [www.asaproject.org](http://www.asaproject.org)
- 5 ASAP., The waiting game, delays in providing asylum support after appeals (2016) [www.asaproject.org.uk](http://www.asaproject.org.uk)
- 6 Refugee Action., Slipping through the cracks – how Britain's asylum support system fails the most vulnerable (2017)
- 7 Destitute Asylum Seeker Service., From Pillar to Post – destitution amongst people seeking asylum (2019) Refugee Survival Trust
- 8 The analysis was carried out on applications made between March 2018 and April 2019.
- 9 ICIBI, An inspection of the Home Office's management of asylum accommodation provision, February–June 2018; Home Affairs Committee, Twelfth Report of Session 2016–17, Asylum accommodation, HC 637.





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