

CASE MANAGEMENT FOLLOWING ONWARD MOVEMENT OF APPLICANTS

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Glossary

Introduction

Applicants under Asylum Team case management may move from their accommodation for a variety of reasons - e.g. to change from support accommodation and subsistence to subsistence only support and move to private accommodation; or move from one private address to another. The new accommodation may be in another UK Border Agency region. This guidance sets out the process for maintaining the onward management of these cases.

Relocation

Applicants are required to reside at the address detailed on the IS.96 or IS.248 as a condition of their reporting regime. If an applicant failed to comply they would be in breach of their conditions and would therefore be liable to detention, in accordance with Paragraph 21 of Schedule 2 to the Immigration Act 1971. Failure to inform the UK Border Agency of an address change could lead to the applicant being unable to access subsistence support or result in the suspension or termination of any ongoing support.

Case Owners must inform applicants who relocate to another regional location without prior permission, that they run the risk of being in breach of their restrictions and are liable to detention or a revised reporting regime.

Applicant requests a change of address

Applicants, who wish to move from a private address into support accommodation or support accommodation to alternative support accommodation, must outline their reasons for wanting to be relocated in a written signed request.

For applicants in asylum support accommodation the applicant would have been informed that accommodation is offered on a 'no choice' basis and that relocation would only be granted in exceptional circumstances, such as:

- The applicant has close family ties in another area.
- The applicant is receiving medical treatment in a specific area or medical institution.

Cases which involve domestic violence, harassment or anti-social behaviour, may be referred to an Investigations Officer for further consideration.

Applicants moving from one private address to another must submit a written declaration of the changes and include written confirmation that there are no costs i.e. rent or utility bills, the applicant would need to meet. Any costs associated with the accommodation will not be paid by the UK Border Agency.

Further guidance and information can be found in the AI: Change of Address and the Asylum Support Policy Bulletins: 31 Dispersal Guidelines and 19 Medical Foundation.

Applicant informs of change of address following move

Applicants are instructed to notify the UK Border Agency in writing, if they are planning to move to a different address, **before** the move takes place. If the applicant fails to do this and relocates, they are in breach of their reporting restrictions and therefore their reporting regime and suitability for detention will be reviewed. Failure to report a significant change in circumstances is a breach of the conditions of support which is outlined to the applicant in the asylum support agreement issued to them at their Initial Accommodation or upon allocation of support; for further guidance see the Asylum Instruction: Withdrawal of support where a breach of conditions has occurred.

Where applicants notify a Case Owner of a new address following a change of location, the Case Owner should instruct the applicant to submit a written declaration of the changes and written confirmation that there are no costs, for private accommodation.

Applicants who were granted accommodation and subsistence in order to avoid a breach of their convention rights under s55(a), should have that decision reviewed.

For further guidance and information see the Asylum Instruction: Change of Address.

Accommodation Check and Support Payments

Where Case Owners learn an applicant has moved without permission an Accommodation Maintenance Check must be carried out to establish whether the accommodation is appropriate. Case Owners must confirm whether the new address is in fact private, support accommodation or a commercial property.

Case Owners should also check the applicant will have or did have access to their subsistence support during the relocation. In some cases support may need to be stopped and emergency payments issued to cover. Following a change of address Case Owners should reassess support and allocate it to the applicant's new address. If the applicant requests any missed support payments as a back payment Case Owners should be aware that if the reason an applicant was unable to collect their support is owing to their own actions, a back payment would not normally be paid.

For further guidance and information see the Asylum Instructions: Change of Address and Back Payment of Asylum Support.

Deciding Which Asylum Team Owns the Case

Where the applicant's new address is in the same regional location, they will remain the responsibility of the same Asylum Team.

Where the new address falls in another regional location, the case will be transferred to an Asylum Team with responsibility for that region.

Consideration Given to Stage of Process the Claim has Reached

The stage of the process that the case has reached and any outstanding casework action required must be taken into account when deciding when handover should occur, in order to cause least disturbance to the asylum process and case progression.

Where the holding Asylum Team is aware of the applicant's move before it takes place, they should contact the anticipated receiving location to confirm a suitable date and time for the next reporting event and issue a new IS.96 or IS.248 in advance.

If the holding Asylum Team is notified of the move after the event, or the applicant comes to the attention of a new Asylum Team following a move, the transfer should be arranged at the earliest appropriate point and the receiving Asylum Team must get in touch with the applicant or their representative to initiate contact.

Substantive Interview Outstanding

Where the substantive interview has not taken place and the case would fall to be transferred to another Asylum Team, then this should proceed and the interview must be re-arranged and conducted by the receiving Asylum Team.

Substantive Decision Outstanding

If the substantive interview has been conducted, the decision should be taken by the holding location as the Case Owner is familiar with the case.

Decision Service Event Outstanding

Where the asylum decision has been made but not served, the case should be transferred prior to the decision service event and the receiving Asylum Team should arrange a revised time for the event.

Where the decision involves a grant of status, the receiving location will be responsible for securing the appropriate documents, e.g. UKRP, NINo.

Where the decision is a refusal, the receiving location will be responsible for producing the relevant appeal paperwork for the service event.

CMR/Appeal Hearing Outstanding

It is likely that the applicant will contact the Asylum & Immigration Tribunal (AIT) to request a change of venue for the forthcoming hearing. The transfer will therefore be dependent on the decision of the AIT and ownership of the case will fall to the Asylum Team with responsibility for the relevant Hearing Centre.

Appeal Rights Exhausted

The case should be transferred with immediate effect and revised contact management arrangements established.

Arrangements for Transfer of Ownership

Pre FRE

The Routing Team must be approached in the first instance in all cases. It will make a decision on which Asylum Team in the new regional location is best placed to take the case, taking into account the level of new intake and capacity in the Asylum Teams, and direct the holding location accordingly.

The details and practicalities of the transfer, including the new Case Owner and reporting arrangements, must then be agreed between Workflow Managers from the respective teams and reporting restrictions revised.

Confirmation of the transfer must then be given to the Routing Team by the receiving location. Case Owners of the holding location and the receiving location must minute CID and the applicant's file.

After the FRE

Where there is more than one Asylum Team in a regional location, the Workflow Managers should set up a rota system to evenly distribute the cases.

If following being dispersed to a regional location (for example Wales), an applicant states they have found alternative accommodation in another regional location (for example Scotland), the holding Workflow Manager should contact a Workflow Manager in the new location who should according to the local rota/or local arrangements pass the details to the appropriate Workflow Manager who will arrange the transfer of the case file.

The details of the transfer, including allocation to a specific new Case Owner and a revised reporting regime must be agreed between Workflow Managers from the respective teams.

For cases being relocated to the London region a nominated Workflow Manager should be contacted who will pass the contact details of the appropriate Workflow Manager to the caller.

Confirmation of the transfer must then be given to the Routing Team by the receiving location, who can adjust further allocation if required. Case Owners of the holding location and the receiving location must minute CID and the applicant's file.

The Case Owner assigned the case should endeavour to meet the applicant at the first reporting event in their region.

Applicants who fail to travel/arrive

Where an applicant notifies the ASU or an Asylum Team, they will not be travelling or the applicant failed to travel to the allocated regional location as they have found alternative accommodation, the Routing Team must be contacted and will then allocate the case file to the Asylum Team in the new location which is best placed to take the case.

In all cases the Workflow Manager in the regional location where the applicant has failed to arrive should inform the Routing Team of the non-arrival.

Case Owners of the holding location and the receiving location must minute CID and the applicant's file.

Glossary

Term	Meaning
IS.96	Reporting restrictions for applicants with temporary admission
IS.248	Reporting restrictions for applicants with leave to enter
NINo	National Insurance Number
UKRP	United Kingdom Residence Permit

Document Control

Change Record

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1.0	J.Rozario	26/02/07	Re-formatted for Website Publication
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