



SUPPORTING AND
EMPOWERING
REFUGEES

HELEN
BAMBER
FOUNDATION
strength to fly



NACCOM
THE NO ACCOMMODATION NETWORK



ASAP

ASYLUM
SUPPORT
APPEALS
PROJECT

DEFENDING ASYLUM SEEKERS
LEGAL RIGHTS TO FOOD AND SHELTER

asylum matters

BritishRedCross



Together
we will end
homelessness

Why the changes to the “move-on” period mean more refugees are facing homelessness and destitution

October 2023

Summary

At the beginning of August, the Home Office informed local authorities and civil society organisations that changes were being made to the move-on period – the name given to the 28 days given to someone who gets a positive decision on their asylum claim before the financial support they had been receiving from the Home Office stops and they need to leave their asylum accommodation.

Despite extensive evidence showing that the 28 days is already not long enough for many refugees to successfully find alternative accommodation or find a way to support themselves financially, the changes significantly decrease that time. Many refugees recently granted status have received eviction notices giving them only seven days to find somewhere else to live.

The changes also mean that the 28 days now start from when someone is notified of the decision on their claim rather than when they receive their Biometric Residence Permit (BRP). As previous Home Office policy acknowledged, in practice a BRP is required to open a bank account, find employment, apply for welfare benefits such as Universal Credit, rent accommodation and receive homelessness assistance. Due to delays in BRPs being sent, this change will significantly reduce the move-on for many refugees. The British Red Cross has estimated that [more than 50,000 refugees](#) could face homelessness by the end of the year.

Receiving refugee status, or leave to remain as a survivor of trafficking, should be a moment of celebration. Instead, all too often it is a moment of crisis. To change this, the government should:

- In the short-term, commit to immediately reversing the changes to the move process made at the beginning of August.

- Ensure that refugees receive all their documentation at one time. Specifically, someone should receive their refugee grant letter, their BRP, the letter containing the date when their asylum support will end, and the notice to quit their accommodation on the same day. In line with recent Home Office policy, the 28 day notice period should never begin before someone has received their BRP.
- Issue clear guidance to local authorities that a newly recognised refugee is at risk of homelessness from the moment they receive notification of the decision on their asylum claim and so are eligible for homelessness prevention support from that time. Local authorities should not require the notice to quit or the letter stating someone's entitlement to asylum support will end before providing assistance.
- Provide devolved governments, local authorities and support organisations with the guidance and data necessary to enable them to fully support people so that they can successfully navigate the move-on period.
- Ensure accommodation providers adhere to the two working day notification period to inform the local authority that they have been notified by the Home Office that it is ceasing support for any service user following a positive decision to their asylum application.
- Stagger the notices to quit that people are now receiving and work with statutory services and civil society organisations to manage the increase in demand for support.

Beyond reversing the recent changes, the government should also commit to working with local authorities, devolved governments and support organisations and those people with lived experience to ensure refugees are able to successfully navigate the move-on process.

As a key part of achieving this, the government should extend the move-on period to at least 56 days, in line with the Homelessness Reduction Act 2017 and the application for Universal Credit.

Background to the move-on period

While someone is waiting for a decision on their protection or human rights claim, they can apply for housing and financial support to meet their essential living needs under section 95 of the Immigration and Asylum Act 1999 if they would otherwise be destitute. Housing is provided on a no-choice basis and financial support is currently £47.39 per person per week or £9.58 per person per week if they are in full-board accommodation (for example, in a hotel).

If they are then successful in their asylum claim, their eligibility for this support doesn't stop immediately. Instead there is a grace period, which is intended to give people enough time to secure alternative accommodation and financial support. The current grace period is 28 days, as set out in the Asylum Support (Amendment) Regulations 2002. The grace period is commonly referred to as the "move-on period", as newly recognised refugees are moving-on from Home Office support.

During this process there are four key documents people should receive:

- 1) A grant determination letter telling them their asylum claim has been successful.
- 2) A Biometric Residence Permit (BRP) that includes a photograph, data of birth, details of the person's immigration status and usually their National Insurance Number (NiNo). It's often the only official identity document a newly recognised refugee will have.
- 3) A letter confirming the person's asylum support will be stopped (the asylum support cessation letter).
- 4) A "notice to quit" setting out that the day the person needs to have left their Home Office accommodation by.

These documents are not all received at once. The BRP is usually received between seven and 10 days after the grant determination letter is sent. The asylum support cessation letter can be received at any point, and some refugees may not have received one at all. The notice to quit is usually issued by the accommodation provider and has to be for a minimum of seven days prior to the end of the 28 days, as set out in regulation 22 of the Asylum Support Regulations 2000.

In almost all cases refugees will have been unable to work while waiting for a decision, will not have opened a bank account and will have no savings. They are then given just 28 days to find somewhere to live and some way of supporting themselves financially.

For many, this will prove impossible, leaving newly recognised refugees facing homelessness and destitution.

Evidence collated and published by voluntary sector organisations over the last decade has highlighted how difficult it is for newly recognised refugees to navigate the move-on period. This includes [Mind the Gap](#) by NACCOM, [Still an ordeal: the move-on period for new refugees](#) by the British Red Cross and [England's forgotten refugees](#) by the Refugee Council.

Many organisations have highlighted how the 28 day move-on period is incompatible with other areas of government policy. The Homelessness Reduction Act 2017 placed new duties on English councils to provide support to anyone who is either homeless or is at risk of becoming homeless within the next 56 days. For those at risk of homelessness, the Act means local authorities have a duty to work with people to prevent them becoming homeless during those 56 days. The move-on period gives newly recognised refugees only half that time at most. Many local authorities also don't accept either the grant determination letter or the BRP as proof that the person is at risk of homelessness, which shortens the period to find accommodation even further.

While refugees will almost always want to work and be able to support themselves, the reality is that most will probably have to rely on Universal Credit while they find a job. Within Universal Credit, there is a minimum of 35 days between someone applying for Universal Credit and the first payment being made. This is already seven days longer than the move-on period.

However, it's also impossible to receive Universal Credit payments without providing bank account details. But refugees often face challenges opening a bank account, especially before they've received their BRP and without being able to prove their address.

As a result of these challenges, there have been many calls for the move-on period to be extended to at least 56 days, alongside other measures to support newly recognised refugees to successfully navigate this process, such as making sure people get the documentation they need at the right time and greater accessibility within the Universal Credit application process.

What changed in summer 2023

Despite these calls to extend the move-on period, the changes implemented by the Home Office at the start of August in effect will give refugees even less time. Support organisations and local authorities are already seeing the impact of this. There are two groups of refugees and survivors of trafficking who are being impacted by the changes in slightly different ways.

1. **People who have been granted refugee status or leave to remain previously but who haven't been "moved-on" – seven days' notice to quit**

There are a number of refugees who are living in accommodation provided by the Home Office who have been granted status but who have been unable to "move-on". This has been caused by the Home Office not ensuring the documentation refugees need to access services has been issued. This includes the "notice to quit", which many local authorities now require before they will accept someone is at risk of homelessness.

As a result, there are refugees who have continued to live in Home Office accommodation beyond the end of the 28 day move-on period.

It's right that people who have been recognised as refugees should be supported to move into other accommodation as quickly as possible. However, instead of working with local authorities and the voluntary sector, the Home Office response to the issue of recognised refugees getting stuck in asylum accommodation has been to give people the minimum time allowable under the legislation by issuing people with notices to quit that expire in seven days.

In effect, this is giving refugees seven days to find alternative accommodation – not the 28 days of the move-on period and nowhere near the 56 days imagined by the Homelessness Reduction Act. The notices do not appear to have been staggered, leaving local authority housing services and charitable organisations that deliver hosting and temporary accommodation for refugees facing a significant impact in demand.

For example, Refugees at Home, the largest independent hosting charity in the UK, received 514 homelessness referrals for newly granted refugees in August and September, compared to 142 in the same period of the previous year.

Action Foundation, a charity delivering accommodation for refugees and asylum seekers in Newcastle and Gateshead, reported 29 referrals into their homelessness accommodation in July and August 2023, which was more than the preceding five months combined, followed by 34 referrals for newly granted refugees in September.

With many frontline services already operating at capacity, some are struggling to meet this new demand. Another charity, One Roof in Leicester, which typically receives one new homelessness referral a week, received ten requests for accommodation from single male

refugees in the first three weeks of August. They were unable to offer accommodation to any of these individuals due to their services being at capacity.

2. For refugees receiving grants now and in the future the move-on period has in effect been reduced by at least a week.

For several years Home Office policy has been that the 28 day move-on period begins when someone receives their BRP. This was in recognition of the fact that until someone receives their BRP they are unable to begin the processes vital to successfully finding accommodation and securing an income.

This policy has been used several times by Home Office Ministers in parliament to argue against calls to extend the move-on period, most recently during debates on the Nationality and Borders Act 2022. In response to an amendment tabled during the Committee Stage of the Act in the House of Commons that would have extended the move-on period to 56 days, Tom Pursglove, the then immigration minister, said:

“I also reassure the hon. Member that we have implemented several initiatives with the aim of securing better outcomes for refugees in the 28 day “move on” period. These include ensuring that the 28-day period does not start until refugees have been issued with a biometric residence permit—the document that they need to prove that they can take employment and apply for universal credit—and that the national insurance number is printed on the permit, which speeds up the process of deciding a universal credit application.” (PBC deb (Nationality and Borders Act 2022) 4 November 2021, col. 667)

Baroness Williams of Trafford made the same point when a similar amendment was debated in the House of Lords when saying that, for the government, “the focus has been on implementing practical changes with the aim of securing better outcomes for refugees within the 28-day move-on period.” She added that “[t]hese include ensuring that the 28-day period does not start until refugees have been issued with a biometric residence permit.” (HL Deb 2 March 2022, vol 818, col 1070)

The changes implemented at the start of August will mean that the 28 days will now begin when the decision to grant someone refugee status is served, rather than when they get their BRP. Given there is usually a gap of between seven and 10 days before someone gets their BRP after getting their decision notice, this significantly shortens the move-on period.

This in turn increases the risk of destitution and homelessness for newly recognised refugees. It will also place additional pressure on local authorities and the voluntary sector. Any cost savings from reducing the number of people being supported by the Home Office will be outweighed by additional costs to other public bodies.

The previous policy of only starting the 28 days when someone received their BRP also meant that when there were delays or errors with the BRP, that didn't increase the risks of homelessness or destitution. That will no longer be the case.

This policy change increases the incompatibility of the move-on period with other statutory systems, including the 35-day wait for a Universal Credit payment. It is exceptionally difficult to make an application for Universal Credit without a BRP, especially without specialist advice.

Universal Credit advance payments, which can be applied for if the applicant is experiencing financial hardship prior to receiving that first payment, will have to be the norm rather than an exception. However, it is not clear that any additional guidance has been issued by the Department for Work and Pensions to instruct JobCentre staff to ensure newly recognised refugees are informed about their eligibility for an advance payment. Furthermore, given an advance payment has to be paid into a bank account and the policy change will mean refugees will face further delays being able to open an account, it may be the case that advance payments are not going to be an option for many people.

Similarly, no public guidance has been issued to local authorities instructing them that a grant determination letter should be enough to evidence that someone is at risk of homelessness within the 56 days set out in the Homelessness Reduction Act 2017. While practice varies across local authorities, it is common that people face barriers accessing housing services before they receive the notice to quit. This is despite housing providers being under a contractual requirement to inform local authorities of a positive decision with two days of that decision being notified to the refugee this often doesn't happen.

The Impact

This policy change will leave thousands of refugees at even greater risk of homelessness and destitution. The 28 day move-on period created enough challenges for people who had been recognised as refugees before these changes – those challenges will now be magnified.

The government's work on reducing the backlog of asylum claims also means that more refugees will be going through the move-on process than ever before. The Home Office's statistics show that between April and June 2023 6,083 people were granted protection having made an asylum claim. That is the highest number of grants in one quarter on record. While not all of those 6,083 people will have been receiving accommodation and financial support from the Home Office, a significant proportion will.

Recommendations

Receiving refugee status or leave to remain should be a time of celebration, but the changes to the move-on process are already leaving individuals, including children, survivors of sexual and gender-based violence and survivors of human trafficking, facing a moment of significant crisis just when their status is finally clarified.

Once someone has their refugee status, they should be supported to take the next important steps in their life in the UK. To achieve this, the Home Office must abandon the recent changes to the move-on period and instead work with local authorities and voluntary sector organisations to ensure people are able to access the services they need.

To do this, the government should:

- In the short-term, commit to immediately reversing the changes so all refugees have a minimum of 28 days before they're required to leave their accommodation.

- Ensure that refugees receive all their documentation at the same time. Specifically, someone should receive their refugee grant letter, their BRP, the letter containing the date when their asylum support will end, and the notice to quit their accommodation on the same day. In line with recent Home Office policy, the 28 day notice period should never begin before someone has received their BRP.
- Issue clear guidance to local authorities that a newly recognised refugee is at risk of homelessness from the moment they receive notification of the decision on their asylum claim and so are eligible for homelessness prevention support from that time. Local authorities should not require the notice to quit or the letter stating someone's entitlement to asylum support will end before providing assistance.
- Provide devolved governments, local authorities and support organisations with the guidance and data necessary to enable them to fully support people so that they can successfully navigate the move-on period.
- Ensure accommodation providers adhere to the two working day notification period to inform the local authority that they have been notified by the Home Office that it is ceasing support for any service user following a positive decision to their asylum application.
- Stagger the notices to quit that people are now receiving and work with statutory services and civil society organisations to manage the increase in demand for support.

Beyond reversing the recent changes, the government should also commit to working with local authorities, devolved governments and support organisations and those people with lived experience to ensure refugees are able to successfully navigate the move-on process.

As a key part of achieving this, the government should extend the move-on period to at least 56 days, in line with the Homelessness Reduction Act and the application for Universal Credit.

-