

<p style="text-align: center;">NO RECOURSE TO PUBLIC FUNDS PROCESS</p>	<p style="text-align: center;">TASK ALLOCATION</p>
<p>Eligibility for services</p>	
<p>Establishing whether or not a family is eligible for services is a crucial element in resolving the presenting need and ensuring that the right level of provision is provided by the right agency or service. This should be undertaken in four chronological steps:</p>	<p>All to note</p>
<p>Establish whether the assessing team and Rochdale Council is “territorially responsible”. That is to say, whether the child is a child in need within the operational boundaries of Rochdale Metropolitan Borough Council. This is the test of Ordinary Residence applied under the Children Act 1989. If the family is not considered to be Ordinarily Resident in that area then they should be referred back to the appropriate local authority area which applies.</p>	<p>First Response Team/ Social Worker</p>
<p>Carry out an immigration check to establish eligibility under immigration legislation, including checks with the UK Border Agency (UKBA);</p>	<p>As above</p>
<p>Where the family falls within one of the excluded groups below, the assessing social worker should carry out a human rights assessment (see appendix 1) (which should include the needs of the child) to establish whether there is an obligation on the authority to provide support in order to prevent a breach of a family’s human rights. These groups are:</p> <ul style="list-style-type: none"> ▪ EEA nationals and any dependents ▪ Persons granted refugee status by another EEA state and any 	<p>Social worker</p>

<p>dependents</p> <ul style="list-style-type: none"> ▪ Refused asylum seekers who have failed to comply with removal directions, and any dependents ▪ Persons unlawfully present in the UK (this includes people who have overstayed their visas or failed asylum seekers who made their initial asylum claim in-country). 	
<p>A template human rights assessment has been produced by the NRPF Network (Appendix 1)</p>	<p>All to note</p>
<p>If a person is legally in the UK, they may have the right to work and the local authority must ask whether they can self-support. In some cases, the local authority may be required to intervene if the person does not speak English or if they cannot exercise their right to work because they are not entitled to child minding allowance.</p>	<p>First Response Team/ Social Worker</p>
<p>If a family is in the UK unlawfully, the local authority has a duty to inform the UK Border Agency under Schedule 3 NIA.</p>	<p>All to note</p>
<p>A more detailed procedure for establishing eligibility for services is outlined in <i>Guidance for Local Authorities: assessing and supporting destitute people from abroad with NRPF</i> (pages 3-5). (Appendix 2)</p>	
<p>Decision to carry out assessments</p>	
<p>Families with no recourse to public funds usually present in different ways:</p> <ul style="list-style-type: none"> ▪ Self-referral without an appointment; 	<p>All to note</p>

<ul style="list-style-type: none"> ▪ Self-referral or referral by an external agency, by appointment. 	
<p>Social workers need to consider if there is evidence to suggest that the child or children comes within the definition of a Child in Need or there is potential for such concerns. This may include health needs affecting the parent/s or children, e.g. chronic health conditions, physical disabilities, learning disabilities, or safeguarding issues, e.g. Neglect and/or domestic abuse. Note: In NRPF cases, a child who is destitute / in need of accommodation will be a child in need.</p>	<p>Social worker</p>
<p>If there is a strong possibility of such needs as outlined above, the Children’s Assessment Team should commence an assessment as for all children and as described in the Children’s Social Care procedures.</p>	<p>Social worker</p>
<p>When interviewing the children and parents, social workers should explore as fully as possible with them any existing sources of help and support in the community, voluntary groups, social networks etc.</p>	<p>Social worker</p>
<p>Due to the ‘no recourse’ status of the applicant, social workers will also have to check the following alongside the Child in Need assessment:</p> <ol style="list-style-type: none"> 1. Key documents (e.g. Home office letter and reference number, ARC Card, IS96 document) 2. Local Connection 3. Immigration status 4. Destitution 	<p>Social worker /Legal services</p>
<p>Key documents</p>	

<p>The applicant must have sufficient identification although this may not be possible, e.g. if the person is fleeing domestic abuse. In such cases evidence should be established at a later date through the assistance of a solicitor or the police.</p>	<p>Social worker</p>
<p>If potential clients do not bring the necessary documentation on first presentation, the assessment can still go ahead but they must be informed that any decisions regarding provision of support can only be made when they have provided the appropriate documents, and they should have all the required documents before another interview is arranged.</p>	<p>Social worker</p>
<p>If the client needs an interpreter, arrangements should be made with the interpreter to inform the client of the documentation required.</p>	<p>Social worker</p>
<p>Applicants should be asked to verify their identity and immigration status with the production of the following identification:</p> <ul style="list-style-type: none"> ▪ Passports and birth certificates for all members of the family; ▪ If available, travel documents like return air tickets; ▪ Worker Registration Scheme (WRS) documentation; ▪ Home Office papers (Application Registration Card (ARC), application letters or refusal letters) and solicitors' letters; and ▪ If available, bank account statements (from the last three months). 	<p>Social worker</p>
<p>All identification documents supplied must be original documents. Social workers should view the original documents, take photocopies; and file them in the client's folder on ICS (Childrens Legal Section).</p>	<p>Social worker</p>
<p>If the applicant or any dependents have health needs, they must provide any</p>	<p>Social worker</p>

<p>documented evidence of ill health or disability for any member of the family, OT reports, mental health/psychiatric reports.</p>	
<p>Local connection</p>	
<p>It is important to establish where the person has a local connection as it may be another local authority, which has responsibility for this person.</p>	<p>Social worker</p>
<p>Local connection criteria need not always apply, e.g. if the person is at risk of violence if s/he returns to the local authority where they have a local connection.</p>	
<p>It should be stressed to all clients that social workers will follow up on the contact details given by the clients and make enquiries into their local connection.</p>	
<p>If it is established that the person has a local connection with another local authority, the social worker should refer the person to that local authority.</p>	
<p>Immigration status</p>	
<p>The social worker must check with the Link worker in the Home Office whether the client has a 'live' asylum application, or has been refused asylum, or has some other application pending.</p>	<p>Social worker</p>
<p>Social workers should have the documentation outlined in key documentation to establish the status and identity of the applicant and his/her dependents and this should be cross-referenced with the Home Office as fully as possible.</p>	<p>Social worker</p>
<p>Social workers need to tell over stayers they have a duty to inform the Home Office as they have approached the local authority for assistance.</p>	<p>Social worker</p>

Destitution	
<p>It is important to build up a clear picture of the client's circumstances and social workers need to assess if the client is indeed destitute, i.e. he/she has no means of supporting him/herself nor family or friends whom he/she can rely on for support.</p>	Social worker
<p>Social workers must consider if the information given by the client both verbally and in documented form is credible. If they do not think it is credible, they must be confident that there is enough evidence to the contrary (taking care to record this in the client's case file) otherwise the local authority's decision making will be open to legal challenge.</p>	Social worker
Assessment	
<p>On accepting the referral, the Childrens Assessment Team should undertake a Single Assessment. As with all Single assessments this should be child-focused, based on the needs of the child and on any potential risk there is to the child. The assessing social worker should also establish ordinary residence, destitution and immigration status of the child/ren, as these may differ from those of their carer(s). A Human Rights Assessment to run concurrently with the Single Assessment (Follow ICS Pathway from Referral)</p>	Social worker
<p>If a child is found to be a child in need then the local authority has a duty to provide services including accommodation to that child and family. Under the Children Act 1989 this can be in the form of accommodation of the child alone under Section 20 or by the provision of services which can include accommodation for the child and their carer under Section 17. In making this decision consideration needs to be given to the child's individual needs and its</p>	Social worker/ Head of Service

<p>right to family life under Article 8 of the European Convention on Human Rights. Consideration should be given to support via UK Border Agency. A child would only be accommodated via S20 if there are CP concerns.</p>	
<p>At the start of the Assessment the Social Worker will ask the parents to sign permission letters to allow checks to be undertaken with relevant agencies, e.g. Legal Rep, DWP, Housing etc (See template Appendix 3)</p>	<p>Social Worker</p>
<p>The Single assessment must form part of the human rights assessment. In such cases the assessing social worker must consider the needs of the child in the UK <i>and</i> in the country of origin, should they be returned there. This will include a consideration of their access to education, benefits, social services and health services. Country of origin information can be accessed from the Home Office website and national embassies. The assessment should be 'detailed and circumstantial', balancing the views of the parents with the information provided by the UKBA and national embassies.</p>	<p>Social worker</p>
<p>If the human rights assessment does not establish that there would be a breach of the children's human rights if they were to return to country of origin then the local authority have the power to purchase travel tickets to enable the family to return to their country of origin. However, consideration should be given as to whether funding can be secured via the Voluntarily Assisted Return and Reintegration Programme (VARRP). For further information see the UKBA website: http://www.ukba.homeoffice.gov.uk/asylum/support/apply/ and the Asylum Support Application Form (ASF1) If the family refuse to return to their country of origin in situations where to the local authority no duty to support has, this will result in the family making themselves intentionally homeless.</p>	
<p>When an assessment is completed, the social worker should discuss the outcome with his or her Practice manager, including any need for</p>	<p>Social worker / Practice Manager/legal Rep/ Head</p>

<p>urgent/immediate support. A legal Planning Meeting needs to take place to determine further support or the LA position</p> <p>If s17 Support is needed a financial form needs to be completed and signed by Practice Manager and Head of Service. This needs to be uploaded into documents and a case note adding to ICS (See appendix 4)</p>	<p>of Service</p>
<p>The Practice manager in collaboration with the Head of Service will decide whether to approve the outcome of the assessment. Such decisions will be based upon the assessments and the applicant's immigration status.</p>	<p>Practice Manager/Head of Service/Legal Rep</p>
<p>The decision will be one of the following:</p> <ul style="list-style-type: none"> ▪ To accept the client's application for support or agree to continue support ▪ To reject the client's application for support or terminate any existing support ▪ To defer the decision pending the presentation of documents or further evidence ▪ To consider if the Child Protection threshold has been met. 	<p>Practice Manager/Head of Service</p>
<p>Decisions will be reviewed monthly with Social Worker, Practice Manager, Legal Rep and Head of Service</p>	<p>Social worker / Practice Manager/Head of Service/Legal Rep</p>
<p>Terminating support</p>	
<p>Any decision to terminate support for an on-going case should be made by a Head of Service and informed by an up-to-date assessment following a Legal Meeting</p>	<p>Social worker/Practice Manager/Head of Service/Legal Rep</p>

<p>The social worker must inform the client if the support is to be terminated. This should be done in an interview, with the use of an interpreter if necessary.</p>	<p>Social worker</p>
<p>The social worker should send a letter to the client confirming the decision to terminate support and giving 14 days' notice from when support will terminate. The letter should also advise the client of their right to seek legal advice if they disagree with the decision.</p>	<p>Social worker</p>
<p>Review</p>	
<p>Information in this document reflects current knowledge at the date it is approved, but is subject to change in the light of changing legislation and Case Law.</p>	<p>All to note</p>
<p>It is the intention that in any event the document is reviewed annually.</p>	

Appendix 1: <J:\Crossfield\CHILDRENS FIRST RESPONSE TEAMS\FIRST RESPONSE 5\NO RECOURSE TO PUBLIC FUNDS\NRPF Policy and Process\Appendix 1 Human Rights Assessment 2012 Proforma.doc>

Appendix 2: <J:\Crossfield\CHILDRENS FIRST RESPONSE TEAMS\FIRST RESPONSE 5\NO RECOURSE TO PUBLIC FUNDS\NRPF Policy and Process\Appendix 2 child and family with nrpf guide 1.pdf>

Appendix 3: [J:\Crossfield\CHILDRENS FIRST RESPONSE TEAMS\FIRST RESPONSE 5\NO RECOURSE TO PUBLIC FUNDS\NRPF Policy and Process\Appendix 3 Parental Consent Form \(November 2013\).docx](J:\Crossfield\CHILDRENS FIRST RESPONSE TEAMS\FIRST RESPONSE 5\NO RECOURSE TO PUBLIC FUNDS\NRPF Policy and Process\Appendix 3 Parental Consent Form (November 2013).docx)

Appendix 4: <J:\Crossfield\CHILDRENS FIRST RESPONSE TEAMS\FIRST RESPONSE 5\NO RECOURSE TO PUBLIC FUNDS\NRPF Policy and Process\Appendix 4 Financial Template NRPF.docx>