

Dr Gus Hosein

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Email:

FOIRequests@homeoffice.gov.uk

www.gov.uk/ukvi

FOI Reference: 67544

12 January 2022

Dear Dr. Hosein,

Thank you for your letter of 17 May 2021, in which you ask for information on Aspen Cards. Your request has been handled as a request for information under the Freedom of Information Act 2000 (FOIA). I apologise for the delay in replying.

Information Requested

Thank you for your response (17 March 2021) to our letter (23 February 2021). We seek clarification regarding your response.

1. "The Home Office does not routinely monitor the use of Aspen Cards and will only investigate the usage when there is a safeguarding concern or when there has been a breach of conditions, for example an Aspen Card not being used for a significant period of time." a. Please clarify the basis upon which you or your systems are alerted that there has been a breach of conditions. b. Please clarify whether the alert is based on manual and/or automatic analysis of Aspen card usage. c. Please clarify what constitutes a breach of conditions. d. Please provide any relevant policy or guidance.

2. "The Home Office does not routinely monitor the use of Aspen Cards and will only investigate the usage when there is a safeguarding concern [...]." a. Please clarify what constitutes a "safeguarding concern" in the context of the Aspen Card?

3. "Supported asylum seekers are aware of and agree to the Home Office and authorised contractors collecting and storing information about card usage for the purposes of fraud prevention and ensuring compliance with the conditions of use of the Aspen card." Privacy International is a registered charity (1147471), and a company limited by guarantee registered in England and Wales (04354366). Registered address: 62 Britton Street, London EC1M 5UY, United Kingdom a. Please provide relevant impact assessments in relation to the above processing of information including data protection impact assessment, human rights impact assessment, equality impact assessment. b. Please provide the information given to the asylum seeker when making this agreement. c. Please provide relevant guidance, documents and the terms and conditions of the agreement.

4. "The Aspen data is just one part of the overall picture, and we would always gather additional information in arriving at a decision to discontinue support." a. Please provide further details on what additional information you would normally collect or how an investigation may be conducted.

Response

We seek clarification regarding your response.

1. "The Home Office does not routinely monitor the use of Aspen Cards and will only investigate the usage when there is a safeguarding concern or when there has been a breach of conditions, for example an Aspen Card not being used for a significant period of time."

a. Please clarify the basis upon which you or your systems are alerted that there has been a breach of conditions.

The Home Office can be alerted to a breach of conditions by several internal and external teams who analyse data or who are in contact directly with the asylum supported population. Usually, however, it will be our Accommodation Providers who will advise the Home Office if they believe that a breach of support conditions has occurred.

b. Please clarify whether the alert is based on manual and/or automatic analysis of Aspen card usage.

Aspen usage is checked by applying a series of statistical filters to management information provided by the contractor, and interpreting the results, therefore involves manual intervention. Following a referral that a breach may have occurred, several actions are taken to establish if a breach has occurred, one of which will be analysis of the Aspen card data of the individual concerned.

c. Please clarify what constitutes a breach of conditions.

[Conditions of support - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/conditions-of-support-for-asylum-seekers)

d. Please provide any relevant policy or guidance.

[Conditions of support - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/conditions-of-support-for-asylum-seekers)

Section 21(1) of the FOIA exempts the Home Office from having to provide you with this information, because it is already reasonably accessible to you. If you have any difficulties in accessing this information at the source which I have indicated, please contact me again.

2. "The Home Office does not routinely monitor the use of Aspen Cards and will only investigate the usage when there is a safeguarding concern [...]."

a. Please clarify what constitutes a "safeguarding concern" in the context of the Aspen Card?

Analysis of management data or a safeguarding referral to the Home Office might identify that a card hasn't been used for a significant period of time; if this coincides with the individual also being noted as a vulnerable individual then this might represent a 'safeguarding concern' and additional checks might well be required.

3. "Supported asylum seekers are aware of and agree to the Home Office and authorised contractors collecting and storing information about card usage for the purposes of fraud prevention and ensuring compliance with the conditions of use of the Aspen card."

a. Please provide relevant impact assessments in relation to the above processing of information including data protection impact assessment, human rights impact assessment, equality impact assessment.

Please see attached Annex 1 & 2.

Some information has been redacted and withheld under section 40(2) of the FOIA because of the condition at section 40(3A)(a) where this concerns the personal data of third parties. The Home Office has obligations under data protection legislation and in law generally to protect personal data. This exempts personal data from release if disclosure would contravene any of the data protection principles in Article 5(1) of the UK General Data Protection Regulation and section 34(1) of the Data Protection Act 2018. We believe release would breach the first data protection principle, since it would be unlawful and unfair to disclose the information.

b. Please provide the information given to the asylum seeker when making this agreement.

Please see attached 'Cover Letter with T&Cs' & 'A5 T&C insert'

c. Please provide relevant guidance, documents and the terms and conditions of the agreement.

[Aspen Terms & Conditions \(prepaidfinancialservices.com\)](https://www.prepaidfinancialservices.com/Aspen-Terms-Conditions)

4. "The Aspen data is just one part of the overall picture, and we would always gather additional information in arriving at a decision to discontinue support."

a. Please provide further details on what additional information you would normally collect or how an investigation may be conducted.

Once the Home Office are in receipt of a referral to advise there has potentially been breach of support conditions, evidence will be gathered depending on the allegation referred. This also includes engagement with the person on support to ask questions. Assessment of the evidence gathered is carried out to establish if there was a breach of support conditions and whether there was a reasonable excuse for that breach, if one had occurred. This action is taken before any decision to discontinue the individual's support.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to foirequests@homeoffice.gov.uk, quoting reference **67544**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request will be reassessed by staff not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

A link to the Home Office Information Rights Privacy Notice can be found in the following link. This explains how we process your personal information:
<https://www.gov.uk/government/publications/information-rights-privacy-notice>

Yours sincerely

M Egerton
Central Operations

We value your feedback, please use the link below to access a brief anonymous survey to help us improve our service to you:

<http://www.homeofficesurveys.homeoffice.gov.uk/s/108105TAZNG>