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Extract from Rigsrevisionen's report on

## **the tuition and activation services provided to asylum seekers**

submitted to the Public Accounts Committee



1849  
147.281  
237  
1976  
114.6  
22.480  
908

September 2017

# 1. Introduction and conclusion

## 1.1. PURPOSE AND CONCLUSION

1. This report concerns tuition and activation of adult asylum seekers staying at accommodation centres in Denmark. Asylum seekers are generally staying at accommodation centres while their application for asylum is being assessed.

2. At the beginning of 2016, Denmark had 72 accommodation centres that were run by six different operators on behalf of the Danish Immigration Service. Well over 14,000 asylum seekers were staying at these accommodation centres. By the end of 2016, the number of accommodation centres had dropped to 29 and the number of asylum seekers had dropped to just under 8,000. Immigration Service has not calculated asylum seekers' length of stay at the accommodation centres, but in mid-2016, the average total length of stay for adult asylum seekers over 18 was – irrespective of type of asylum centre – well over 400 days, and by the end of 2016, it was approximately 600 days. In 2016, the Danish Immigration Service accepted 72 per cent of all claims for asylum, which meant that the asylum seekers were granted residence permit and transferred to the municipal integration programmes.

3. While staying at an accommodation centre, the asylum seekers must fulfil a contract entered with the operator of the centre. The contract describes the activities that the asylum seekers are required to participate in, i.e. tuition, activation and practical work related to the running of the centres, including cleaning and maintenance of outdoor areas. If the asylum seekers fulfil their contract, they will be paid a supplementary allowance – also referred to as pocket money – by the operator that is running the centre. These matters are regulated by the Danish Aliens Act.

4. The purpose of tuition and activation is to facilitate successful integration of the asylum seekers into the Danish society, and to facilitate rejected asylum seekers' return to their homeland. Tuition and activation are also meant to contribute to maintaining and expanding the asylum seekers' general and professional skills.

### TOTAL LENGTH OF STAY

This covers the entire asylum process, and is calculated from the date the asylum seeker was first accommodated in a centre.

### ASYLUM CENTRES

Immigration Service provides four types of asylum centres for adult asylum seekers:

- Reception centres
- Accommodation centres
- Special centres (care centres and centres for women)
- Departure centres.

To these should be added centres for children and special centres for unaccompanied minors and asylum seekers with special needs.

The longer the asylum seekers are staying at the accommodation centres while their applications are being assessed, the more essential it is to ensure that the extent and quality of the services provided at the centres contribute to sustaining and improving the qualifications of the asylum seekers, and thereby facilitate their successful integration into society or return to their homeland. The political objective, as indicated in the tripartite agreement between the government and the labour market parties – entered in March 2016 – is to help more refugees into employment and financial independence. A similar political goal of helping refugees into the labour market was expressed by the government in 2002. At that time, tuition and activation services for asylum seekers were strengthened through an amendment of the Aliens Act in 2003. The purpose of the amendment was to ensure that the waiting time from official application for asylum to final decision would be used constructively, for instance by offering more vocationally oriented services to the asylum seekers. At the same time, it was decided to make the supplementary allowance conditional on the asylum seekers' participation in the activities – typically tuition and activation – that they had agreed with the operator running the accommodation centre. The current rules concerning tuition and activation have largely remained unchanged since 2003. However, the rate received by the operators for tuition and activation services has been reduced several times since 2003.

5. According to section 42a, sub-section 5 of the Aliens Act, Immigration Service is responsible for providing and running accommodation centres for aliens, in collaboration with other operators, if preferable. In the period from 2013 to 2016, six operators were running the accommodation centres on behalf of the Immigration Service: five municipalities and the Red Cross. Immigration Service is responsible for making buildings available for the centres, and for providing various services to the asylum seekers, including tuition and activation.

6. The purpose of the study is to assess whether the Ministry of Integration and Immigration is providing the tuition and activation services to asylum seekers that it is required to by law.

- Has Immigration Service ensured satisfactory management and supervision of the tuition and activation services provided to asylum seekers by the operators?
- Are asylum seekers offered the tuition and activation services they are entitled to according to the contract entered between Immigration Service and the operators?

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## CONCLUSION

Rigsrevisionen finds it unsatisfactory that the Ministry of Integration and Immigration has failed to ensure that adult asylum seekers are offered the tuition and activation that they are entitled to, and that the ministry has very limited insight into the extent as well as the content of these services.

Immigration Services has not appropriately managed and supervised the operators' provision of tuition and activation. According to the Aliens Act, asylum seekers are entitled to receive tuition and activation services, which should be specified in a contract entered with the individual asylum seeker. Asylum seekers who fulfil the contract, are paid a supplementary allowance by the operator. Immigration Service has entered contracts with the operators that specify the extent of tuition and activation that should be provided to the individual asylum seeker. However, Immigration Service has neither through reports from the operators nor through its own supervision secured documentation to confirm that the operators provided the tuition and activation services that they had been paid for and were required to, according to their contract with Immigration Service. Nor has Immigration Service ensured that the asylum seekers have a contract with the operators that can provide the basis for payment of the supplementary allowance.

Since the Ministry of Integration and Immigration does not have any documentation concerning the tuition and activation services provided to the asylum seekers, Rigsrevisionen has reviewed the operators' records of services provided based on a random test.

First, the review shows that the operators, only to a very limited extent, fill in details on tuition and activation in the contracts with the asylum seekers, as they are required to by law and by the Immigration Service. Second, the operators have not consistently recorded, documented and supervised the tuition and activation services provided to asylum seekers. It has therefore not been possible for Rigsrevisionen to get a complete overview of the extent of the tuition and activation services provided to the asylum seekers by the operators. Third, our review of the records indicate that a significant number of asylum seekers have not received the tuition and activation services that they are entitled to. For instance, the study shows that the amount of tuition offered to 51 per cent of asylum seekers aged between 17 and 65 did not meet the minimum requirements. According to the records, only 35 per cent of the asylum seekers were offered the tuition they were entitled to or had been registered as being exempt from tuition. It has been impossible to determine the scope of services offered to 14 per cent of the asylum seekers, because the records are incomplete and affected by error. The operators have informed Rigsrevisionen that the records are too flawed to give a true and fair view of the services offered. On the basis hereof, Rigsrevisionen has concluded that it is impossible for Immigration Service to determine whether the operators are providing the tuition and activation activities to the asylum seekers that they are required to, but there are indications to the contrary.

Mothers with children aged between 1 and 2 should take part in tuition on an equal footing with other adult asylum seekers, but the majority of the operators do not require the mothers to do so, because arrangements for childcare are typically not available. This means that many of the mothers with children in this age group, when granted residence permit, are transferred to the municipal integration programmes without having participated in the Danish language courses that have been provided to the majority of the asylum seekers.

Rigsrevisionen's study also shows that despite the fact that the skills and qualifications of the asylum seekers should – when possible – serve as point of departure for the activation services, they rarely do. The offers of activation mainly consist of cleaning and maintenance of the outdoor areas of the accommodation centres. The operators have informed Rigsrevisionen that it is difficult for them to come up with relevant and meaningful activation activities for the asylum seekers.

Rigsrevisionen recognizes that running the asylum centres is a difficult task in years with significant fluctuations in the number of asylum seekers, as in the autumn 2015 and at the beginning of 2016. However, the Ministry of Integration and Immigration has been familiar with the legislative tuition and activation requirements since 2003, as the rules have remained largely unchanged since then. The ministry should therefore have done more to establish systems that could handle the challenges that traditionally emerge in this area at times when framework conditions are difficult. In doing so, Immigration Service would have obtained better knowledge and control of the operators' delivery of tuition and activation services. In the spring 2017, Immigration Service elaborated a new concept of supervision which is intended to contribute to rectifying these problems.