

<b>Meeting:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	<b>Thursday 14 December 2017</b>
<b>Title of report:</b>	<b>Strategic approach to refugees and asylum seekers in Herefordshire</b>
<b>Report by:</b>	<b>Cabinet member health and wellbeing</b>

## **Classification**

Open

## **Decision type**

Key

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

## **Wards affected**

All wards

## **Purpose and summary**

This report refers to four different migration schemes. These schemes are all managed by the Home Office and have emerged or changed in the past two years. The council is being asked or is expected to contribute to them all. The recommendations in this report refer to the first three of the schemes detailed below.

- General asylum dispersal
- Syrian Vulnerable Persons Resettlement Scheme (SVPRS)
- Vulnerable Children Resettlement Scheme (VCRS)
- Unaccompanied Asylum Seeker Children (UASC)

In terms of the general asylum scheme, this report seeks approval for Herefordshire to participate

voluntarily in the scheme, allowing some negotiation over the profile and numbers of asylum seekers allocated to Herefordshire. If Herefordshire does not voluntarily participate, there is the risk that ministers may make use of their powers to compel councils to join the scheme. It is understood that if these powers are used, councils would have no scope to negotiate and may face placement of punitive numbers of asylum seekers.

In terms of the SVPRS and VCRS, the Home Office is asking councils which have fulfilled their initial refugee resettlement pledge to make a further commitment to these refugee resettlement schemes. Within Herefordshire, the SVPRS appears to have gone well to date, with no significant issues or pressures. The first Syrian families to arrive are nearing the end of their first year of orientation and support from Refugee Action and the council is finalising plans for more limited support for the second year and beyond. There is no financial risk to the council arising from further commitment to the SVPRS or VCRS as both schemes are fully funded by the Home Office. This report seeks cabinet's agreement to extend Herefordshire's commitment to refugee resettlement schemes.

In terms of UASC, the council is working towards fulfilling its existing pledge to provide support for up to 25 young people. No further pledge or changes to the existing pledge are being requested at this time.

Approval is sought to delegate the authority to negotiate the specific terms and details of participation in the asylum dispersal and refugee resettlement schemes to the director for adults and wellbeing.

## **Recommendation(s)**

**That:**

- (a) Herefordshire Council's voluntary participation in the general asylum dispersal scheme is approved; and**
- (b) the extension of Herefordshire's commitment to resettlement of refugee families is approved, to include Syrian refugee families and those under the VCRS; and**
- (c) the director for adults and wellbeing be authorised, following consultation with the director for children's wellbeing and the relevant cabinet members, to take all operational decisions necessary to agree the specific terms of Herefordshire's participation in the general asylum dispersal scheme, to a maximum of 40 individuals at any time, and extend the resettlement of refugees families, from the existing pledge of 60 to a maximum of 95 individuals.**

## **Alternative options**

1. To decline to join the general asylum dispersal scheme voluntarily. This is not recommended because this could lead ministers to use their powers to compel Herefordshire to participate in the scheme, potentially leading to higher numbers and reduced discretion and control over the programme.
2. To decline to resettle any further refugees. This option would have no immediate implications for the council. However, on balance it is not recommended because agreeing to take more refugees may reflect well on Herefordshire and carries no tangible

economic or community risk for the council. Declining further refugees would also limit the potential for further integration of Syrian and asylum seeker families into their local communities.

## Key considerations

3. Over the past two years the council has had some discussion about the general asylum dispersal scheme with the Home Office, regional Strategic Migration Partnership and G4S, which is the contractor charged with managing placements across the region. Up to now the council has not made a formal commitment, focusing on the practicalities of placements in such a rural area. However the government is now seeking commitments from councils with increasing urgency and will be pressing Herefordshire for a firm commitment. The council has identified a number of concerns in relation to the profile of the population, the way housing is sourced, limitations on access to volunteering opportunities and employment. It has been indicated to the Home Office that the council would need to be satisfied in relation to those and other areas in order to join the scheme. The council will ensure that it has received reassurances in respect of these concerns before agreeing the specific terms of Herefordshire's participation in the general asylum dispersal scheme.
4. The council was originally asked by the Home Office in 2015 to become a dispersal area for the general asylum scheme, the expectation being that all councils would be required to participate in due course. The Home Secretary has some reserve powers to ensure that councils cooperate in the provision of accommodation for asylum seekers, through sections 100 and 101 of the Immigration and Asylum Act 1999. Ministerial powers could be used to compel councils to become a dispersal area with a ratio of up to one asylum seeker per 200 residents – which would equate to around 900 placements for the county.
5. In principal there are few direct implications in respect of the general asylum dispersal scheme should Herefordshire join, since neither the council nor the NHS have any specific duties to provide services to dispersed asylum seekers. However, there is evidence that the profile of asylum seekers has changed, with the number of single male applicants having reduced. In 2016, 25% of asylum applications were made by female applicants and the council has been advised that around 40% of current asylum applications are being made as families.
6. As a consequence of this change in the demographics of the asylum seeker population, there are potential implications for primary care, education and community cohesion. Concerns have been raised about the way in which national government provides housing for asylum seekers through the COMPASS contracts (government contracts for the provision of accommodation for asylum seekers), for which G4S is the regional provider. The council has sought reassurances on this and other issues, including people's rights to employment and volunteering. The Home Office has indicated that asylum seekers are now able to participate in volunteering opportunities. Also although as a general rule, asylum seekers are not allowed to work in the UK, the rules have relaxed for those who have been waiting for over 12 months for an initial decision on their asylum claim allowing some access to employment. Recent data on the processing of applications from the Home Office provide a mixed picture. It is intended that asylum applications will be concluded within a maximum of a year and on average, within 6 months.

7. On 9 May 2016, cabinet approved the procurement approach for an orientation and support service for up to 60 Syrian refugees to settle in Herefordshire from September 2016 onwards.
8. The council is now procuring and confirming the arrangements for year two support, at a somewhat reduced level, for the Syrian refugee families. This will include support with housing, English language development, and training and employment. If further refugee families are to be resettled, 'year one' orientation and support would need to be commissioned again. For such support services to be viable, a minimum number of individuals would be required. The commissioning of orientation and support services will be the subject of a subsequent decision.
9. The first Syrian families were welcomed to Herefordshire in late November 2016. Further families arrived in January and March 2017 with the final family arriving in June 2017.
10. Herefordshire's initial pledge to resettle 60 Syrian refugees has been fulfilled. The recommendation to extend refugee resettlement to an additional 35 individuals would mean that Herefordshire's total commitment to refugee resettlement would be 95. This figure excludes UASC and anyone taken in the future under the asylum dispersal scheme. The possible total numbers across refugees and asylum could in due course grow to a total in the region of 160.
11. The Syrian refugee resettlement scheme appears to have gone well to date with no significant issues or pressures. Those resettled under the SVPRS have all been housed in properties sourced from the private rental market. The status of those resettled under the scheme means that they are able to claim benefits and seek employment as any other resident of Herefordshire.
12. The West Midlands Strategic Migration Partnership, on behalf of the Home Office, has requested that Herefordshire consider making a further pledge to resettle refugees under the SVPRS and / or the VCRS.
13. The SVPRS and VCRS schemes are both to resettle refugees and are funded in the same way. Nationally, the SVPRS seeks to resettle 20,000 refugees dispersed from Syria by 2020. The VCRS seeks to resettle 3,000 refugees dispersed from any country in the MENA (Middle East and North Africa) region by 2020. The reason for resettlement of those through the VCRS must be in relation to vulnerability of a child, although the child may be resettled with other family members. The Home Office work closely with the United Nations High Commission for Refugees (UNHCR) to identify the people that they deem in need of resettlement. It prioritises those who cannot be supported effectively in their region of origin: women and children at risk, people in severe need of medical care and survivors of torture and violence amongst others.
14. Whilst there is no obligation or threat of punitive measures if Herefordshire were not to engage in further commitment to resettle refugees, there is evidence of past success with this scheme and participation supports vulnerable people, meeting moral and ethical obligations. Further participation in the SVPRS will positively contribute to the council's discussions with the Home Office in respect of asylum dispersal and enable Herefordshire to strengthen the more general offer to the migrant population, including asylum seekers, through the development of knowledge and experience of local service and communities.
15. Commitment to the general asylum dispersal scheme and refugee resettlement schemes will continue to broaden Herefordshire's Black, Asian and Minority Ethnic (BAME)

population and strengthen the county's diversity ahead of the opening of the new university that wishes to attract overseas students.

## Community impact

16. "Understanding Herefordshire" (the Joint Strategic Needs Assessment) indicates that hate crime increased by 38.8% (31 offences) in the county in 2017, which is in line with the 37.2% increase observed across West Mercia. The majority of hate crime was racial in nature which, by the year to February 2017, had increased by 24% (from 50 to 62 offences), compared to the previous 12 months. Whilst there has been a rise in hate crime relating to race and some negative comments seen in the media, these have been challenged and outweighed significantly by positive comments. The JSNA acknowledges that organisations and the local community across Herefordshire have offered support in various forms to the council's call for assistance for the Syrian refugee families, indicating that the majority of Herefordshire residents are supportive of resettling refugees.
17. The JSNA suggests that the total number of pupils on roll has risen by 1.43% between 2013 and 2016. 98.6% received one of their three expressed preference schools at the start of the 2016/17 academic year, considerably higher than the English average. The number of children likely to be added to the school population through the various schemes is unlikely to be such as to have any significant impact on these figures. In spring 2013, a total of 58 different languages other than English were recorded in the school census. By autumn 2016, 65 different languages other than English were spoken in Herefordshire schools. The spring 2017 census reports a 7.8% increase in the number of children with English as an additional language over the past 10 years, with Polish speakers being the predominant profile. Local schools are therefore well used to supporting pupils who do not have English as their first language.
18. The Corporate plan 2016-2020 sets out that by the end of the decade Herefordshire will have encouraged and supported even more local services to be run by communities themselves, thereby enhancing community resilience and reducing demand on statutory services. Experience of the Syrian resettlement scheme to date has demonstrated that there is a strong desire amongst Herefordshire communities, the voluntary and faith sector to support this scheme. Those resettled under the programme have also been undertaking volunteer work and are integrating with the local communities, so building local diversity. The Home Office and Strategic Migration Partnership have advised that asylum seekers are now able to partake in volunteering.
19. The JSNA reported that Herefordshire's BAME population was 6.4% in 2011, which is considerably lower than that recorded nationally at 19.5%. Developing a diverse population will support Herefordshire in attracting international students to the new university and provide a more varied workforce for businesses to recruit and develop from. Herefordshire now has an established small Syrian community so any further commitment to take Syrians would offer greater opportunities for them to integrate with the resident community.
20. There are no specific implications for the council's role as corporate parent in relation to the recommendations of this report. However the UASC scheme, which is outside the scope of this report, does require the council to execute its responsibilities as a corporate parent to UASCs arriving in Herefordshire as Looked After Children and those who subsequently leave care.

21. The council is committed to providing a healthy and safe environment for all individuals affected by the council's activities. Therefore the council endeavours to ensure that the work it and its partners undertake does not adversely affect the health, safety or welfare of refugees or asylum seekers. Council partners are expected to work to the same health and safety standards and codes of practice as the council, as far as is reasonably practicable. This will be a requirement of any agreed commitment to the asylum dispersal or refugee resettlement schemes.

## Equality duty

22. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
23. Accommodating Syrian refugees and unaccompanied asylum seeking children is one of the main priorities in the council's equality policy 2017. The values that the council adheres to and promotes include respecting cultures and values different to our own, recognising and guarding against our own prejudices and identifying and addressing discrimination. The policy recognises that community cohesion can be seen to be of particular importance to the changing demographics within the county, and particularly the arrival of "new communities", such as Syrian refugees, adult asylum seekers, and unaccompanied asylum seeking children.
24. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). In particular, the council must have 'due regard' to the public sector equality duty when taking any decisions on service changes.
25. The EIA (see appendices) details the impact of those with protected characteristics and how these may be mitigated, in relation to general asylum dispersal and refugee resettlement.

## Resource implications

26. In principal there are no direct financial implications of the general asylum dispersal scheme should Herefordshire join. Since it is an unfunded scheme, neither the council nor the NHS have any specific duties with regard to asylum seekers, however there may be implications for schools and the NHS in particular if children are included amongst the asylum seeker cohort. There is no funding provided by the Home Office for the general asylum dispersal scheme.
27. Refugee resettlement schemes place no financial pressure on the council as the schemes are fully funded by the Home Office. The Home Office provides five years of funding to

the council for refugees, including exceptional costs relating to social care needs. It also provides one year of funding to the NHS and schools.

28. From the experience of the initial cohort of 60 individuals under the SVPRS, the costs of resettlement have been fully met by funding from the Home Office, to date.

## Legal implications

29. The council is not under a statutory duty to comply with any of the three schemes, although has the power to participate under the General Power of Competence in Section 1 Localism Act 2011.
30. As outlined in paragraph 4 of the report under section's 100 and 101 Immigration and Asylum Act 1999 the Secretary of State has reserved powers to require councils to cooperate when requested to assist in the provision and management of housing accommodation.
31. There are no other specific legal implications with the recommendations.

## Risk management

32. If the recommendations are approved then the director for adults and wellbeing will lead in negotiations with the Home Office to ensure that any further refugee resettlement and asylum dispersal is managed in such a way to maximise potential benefits and mitigate risks.
- 33.

Risk / opportunity	Mitigation
Community cohesion could be undermined if refugees and asylum seekers were not integrated locally	Continue to work with police, community cohesion colleagues, volunteers and the established migrant community to role model the equality values of respecting different cultures, challenging discrimination and promoting acceptance.  If the Controlling Migration Fund bid is successful this will support the community in addressing cohesion issues and anti-social behaviour.
Lack of migration services, such as Office of the Immigration Services Commissioner (OISC) registered practitioners and refugee / asylum centre.	Council officers are working with the Strategic Migration Partnership to explore building capacity in relation to migration services.
Pressures on resources, particularly in	By voluntarily participating in the asylum dispersal team this will enable the council to influence the profile of those dispersed to

relation to children; education, health, primary care, housing

Herefordshire and control any risk to pressures on services. For the foreseeable future numbers of children would be small and length of stay in the county short.

34. Identified risks will be managed by the corporate lead officer who will report to the director and cabinet member for health and wellbeing.

## **Consultees**

35. Consultation with political groups concluded on 9 November. The Green group commented that there was a moral and practical argument for Herefordshire to increase the number of refugees that could be accommodated, and that it would be pragmatic also to volunteer to participate in the general asylum seeker scheme. While there might be pressure on housing, it was noted that all the refugees had been placed in privately-rented accommodation and so there had been no impact on local families seeking social housing.

## **Appendices**

Appendix 1 – Equality Impact Assessment

## **Background papers**

None