



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES
DATE:	26 JULY 2018
REPORT OF THE:	PRINCIPAL SPECIALIST (PEOPLE) KIM ROBERTSHAW
TITLE OF REPORT:	ASYLUM SEEKER DISPERSAL SCHEME
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 There is a national shortage of Local Authorities who have agreed to act as 'dispersal areas' for Asylum Seekers. Current arrangements for Asylum Seeker dispersal were heavily criticised by a Parliamentary Select Committee in January 2017. The Select Committee highlighted that too few Councils participated and that this placed an unfair financial burden on the small number of Councils who did.
- 1.3 This request is not to be confused with the Governments programme for resettlement of Syrian Refugees, who are not classed as 'asylum seekers' and for whom completely separate arrangements have been made.
- 1.4 This report provides an overview of the implications of this request and seeks agreement from Members as to the Council's response.

2.0 RECOMMENDATIONS

- 1) Note the request from the Home Office to extend dispersal arrangements for asylum seekers into North Yorkshire along with the implications of these arrangements for the District and recommend to Council to
- 2) Agree in principle to participate in a North Yorkshire wide scheme on the negotiated terms highlighted in this report. However due to the recent uncertainty arising from the unsuccessful Asylum Housing Procurement Process that this participation is delayed until September 2019, by which time it is anticipated that the final outcome of the procurement process will be known.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The Home Office are now proactively seeking to increase the number of asylum seeker dispersal areas. Last year they wrote to the Chief Executive to request the Council's co-operation to help Government discharge its obligations. The same request was sent to all North Yorkshire Councils. The scheme is funded through the Home Office and not the District.

4.0 SIGNIFICANT RISKS

- 4.1 The new contracts for Asylum dispersal are due in September 2019. The Council has recently been informed that a substantial part of the £6bn procurement for the new asylum contracts was unsuccessful, consisting of £600m for the Yorkshire & Humber region. As a new contract has not yet been negotiated, if there is a further unsuccessful procurement exercise then housing provision for Asylum seekers in the area would be unknown. If G4S are not successful the current agreements may need to be re visited with the new provider.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Consideration of the implications of this request have been made in partnership between the 7 District Councils and North Yorkshire County Council.
- 5.2 The request has already been agreed by Craven DC and Harrogate BC. It has been deferred by Hambleton DC for additional information. Scarborough BC has resolved to object to the proposal citing the Home Office's overall approach to the programme and the lack of financial support to the programme. A decision will be made in Selby on the 4 August 2018 and Richmondshire propose to report the matter to their members in September 2018.
- 5.2 It is also important to note that within a two tier Local Government area, the request from the Home Office and any subsequent requests made by G4S regarding the specific location of any proposed asylum dispersal accommodation needs to be made jointly between the County and the relevant district.

REPORT

6.0 REPORT DETAILS

- 6.1 An Asylum Seeker is a person who has left their country of origin and formally applied for asylum in another country but whose application has not yet been concluded.
- 6.2 According to Home Office statistics, there were 33,000 Asylum Seekers who were awaiting a decision on their status by the Home Office at the end of 2016. During this application assessment period, Asylum Seekers cannot work. They also have no access to public sector housing and social security support. Those asylum seekers who are deemed to be 'destitute' are provided with both accommodation and a small weekly living allowance by the Home Office.
- 6.3 There are currently ten local authorities in the Yorkshire and Humber region (90 in the UK in total), that act as 'Asylum Dispersal Areas'. These are areas where asylum seekers are provided with accommodation pending the determination of their

application. These areas include all of the West Yorkshire and South Yorkshire Authorities and Hull City Council.

- 6.4 The Yorkshire and Humber scheme was initially managed by a consortium of these ten local authorities but more recently has been contracted out to private companies. The latest contract was awarded to G4S in 2012. This contract runs until September 2019.
- 6.5 Under the current contracting arrangements the role of a participating authority within the dispersal process is limited. Both the direct provision of accommodation and day to day management of accommodation is provided via the Home Office's contractor G4S. There is no expectation that authorities are to directly provide or arrange to provide such accommodation.
- 6.6 On arrival Asylum Seekers are placed in short-term hostel style accommodation where they will usually stay for an average of around three weeks. The responsibility for vetting and checking the credentials of all Asylum Seekers during this period sits with the Home Office. Those that are deemed to be destitute are then provided with 'dispersal' accommodation and/or subsistence support and issued with an identity number and a caseworker. The responsibility for vetting and checking the credentials of all Asylum Seekers sits with the Home Office.
- 6.7 G4S are contracted by Government to identify accommodation that is suitable for the Asylum Seeker within the agreed dispersal areas. The accommodation must meet the decent homes standard and be in a suitable location to meet any specific needs of the Asylum Seeker. Accommodation is most likely to be leased from private sector landlords and is usually in the form of a House in Multiple Occupation (HMO).
- 6.8 During their period of stay within the dispersal accommodation, the Asylum Seekers receive a weekly allowance to support their needs from the Home Office. G4S are contracted to carry out monthly inspections of the property along with undertaking any general management duties including day-to-day repairs.
- 6.9 The Asylum Seeker remains in the accommodation while their application is considered. This usually takes around 6 months. If successful the Asylum Seeker will be granted Refugee status. They will then have the same rights as UK citizens. The provision of accommodation by G4S is ended and they can be referred to the Local Housing Authority under the Homelessness Reduction Act legislation for assistance.
- 6.10 If unsuccessful, the Asylum Seekers can enter an appeal process which may last up to a further 18 months. During this time the Asylum Seeker remains under the control of G4S and continues to receive financial and other relevant support. If the appeal process is unsuccessful the Asylum Seeker will be asked to leave the UK. They are evicted from the dispersal accommodation and have no recourse to public funds or housing from that date.
- 6.11 The number of Asylum seekers housed in the region has increased significantly over the last few years and the number now stands at around 4,000. This number is steadily rising and there is a view within Government that the existing participating Local Authorities now need further support and that the pool of participating asylum dispersal areas needs to be increased.
- 6.12 A request has been made to every Local Authority within North Yorkshire to agree to participate as a 'dispersal area'. In practical terms this means giving consent for G4S

to explore potential opportunities to acquire or lease suitable accommodation to be used as dispersal accommodation.

- 6.13 It is important to note that, whilst a request is currently being made from the Home Office, the Secretary of State does have the power to 'instruct co-operation and support' from Local Authorities. In the Government's view the existing arrangements for asylum dispersal are a legacy of previous contracting arrangements and impose an unfair burden on too few authorities. In addition, levels of accommodation and the range of dispersal areas need to be increased overall to cope with national demand.
- 6.14 Whilst there is the potential threat of future imposition regardless of the wishes of the North Yorkshire Councils, the Home Office indicated that they would be prepared to negotiate a voluntary arrangement with North Yorkshire Councils to help mitigate any concerns or potential issues.
- 6.15 Officers have therefore been in negotiation with the Home Office and G4S. A draft countywide dispersal agreement has been developed. **Appendix 1.** Key elements of this agreement include:
- The total number of Asylum Seekers accepted will not exceed 50 throughout North Yorkshire within an initial 2 year period,
 - Of the 50 individuals accepted within this period, no more than 20 asylum seekers will be placed in any single district / borough.
 - G4S (and any future contractors) will only use properties that have been individually and specifically agreed in advance as suitable in writing by both the relevant district council and the county council – there can be no exceptions to this commitment,
- 6.16 Progress on these negotiations has been considered by the North Yorkshire Housing Board who agreed 'in principle' to the agreement as negotiated subject to agreement from each District or Borough.

ASSESSMENT PROCESS

- 6.17 Within the agreement the Council's primary role is that of a consultee. Councils consider and vet requests made to them regarding proposed accommodation options put to them by G4S. This is likely to involve a case-by-case assessment made in partnership between the County, the District and Police along with an inspection of the proposed accommodation by the Council to ensure it meets designated standards.
- 6.18 The Government's criteria to G4S in terms of the suitability of different accommodation options are very broad. Accommodation must meet the Decent Home Standard and be in a suitable location to meet the needs of an Asylum seeker. It is understood that in the main accommodation is leased from landlords by G4S and is typically HMO accommodation. In some areas it is understood that unrelated single person asylum seekers share rooms within the same accommodation.
- 6.19 The proposed agreement exceeds those requirements in that it prevents unrelated individuals from sharing rooms in the same accommodation. It also gives the Council the ability to refuse consent to the use of any proposed property for this purpose.

- 6.20 In addition the Home Office use a benchmark for the number of Asylum Seekers per Local Authority area. This is limited to 1 Asylum Seeker to every 200 people. In practice this figure is never reached and the current number in Yorkshire & The Humber is around 1 to every 500 people. The proposed agreement places a cap on the total number of Asylum Seekers within the County and any individual District.
- 6.21 Within the North Yorkshire context, accommodation within Ryedale may not be as financially viable to G4S as other areas of North Yorkshire. Ryedale also does not have a large supply of HMO type accommodation.
- 6.22 From negotiations to date it is not known as to whether G4S have done any feasibility work within Ryedale District.
- 6.23 The impact on any District is mitigated by the 'cap' that is placed in relation to numbers, e.g. no more than 20 asylum seekers at any given time within one district Council area.

7.0 IMPLICATIONS

- 7.1 Whilst there a range of implications for any Local Authority that agrees to become a dispersal area, any decision needs to be made within the context of the national position. In essence too few areas participate and this creates an unfair burden on those authorities that do. The North Yorkshire area is therefore being asked to consider this request balancing local concerns against a wider area of participation in the dispersal scheme for the common good.
- 7.2 It is also important to remember that there is a humanitarian purpose to the Asylum process. Whilst Members are not being asked to consider the pros and cons of the Governments national policy position to asylum seekers, useful context relating to Asylum Seekers and some general 'myth busting' around this issue is provided by the Refugee Council
https://www.refugeecouncil.org.uk/policy_research/the_truth_about_asylum/facts_about_asylum_-_page_1

7.3 Homelessness

One of the biggest implications to the Council is likely to be the impact on homelessness. Successful asylum seekers would be entitled (and referred to) the Council for housing assistance should their application be successful.

The Council is already under significant pressure in relation to homelessness. Duties were also increased this year following the introduction of the Homeless Reduction Act.

Failed Asylum Seekers once evicted from the dispersal accommodation have no recourse to public funds or housing from that date. Whilst they are asked to leave the country they are not deported as a matter of course. This potentially could result in an increased risk of destitution within the District. The Council would have no power to assist in these circumstances. In the case of destitute families with young children NYCC has certain responsibilities under the Children's Act.

7.4 Integration and Resettlement Support

Unlike the case of the Syrian Vulnerable Persons Scheme (where the Refugee Council has been funded to provide integration and resettlement support) there is no funding provided from Government to pay for any form of support for Asylum Seekers within the community.

It is anticipated by Government that existing organisations (statutory and voluntary sector) absorb the impact of Asylum Seekers within the day-to-day operation of existing services.

7.5 Financial Implications

Whilst there are no identified 'direct' cost implications to Councils operating as dispersal areas, there are a number of key 'indirect' costs that are likely to be incurred.

For the Council these indirect costs include additional pressure on the use of social housing stock along with potential costs associated with the provision of temporary accommodation and homelessness.

It is difficult to accurately quantify this cost given the uncertainty over numbers, throughput, length of stay in dispersal accommodation and length of stay in temporary accommodation. Also additional increases in homelessness would be likely to have a cumulative impact on the Council's ability to discharge its responsibilities toward Asylum Seekers.

7.6 Community Cohesion and Crime and Disorder

The impact in terms of Community Cohesion is difficult to predict. Learning locally from the Council's recent participation in the resettlement of Syrian Refugees, residents appear to have welcomed the Council's participation and a large number of individuals and community groups came forward to offer their support to the scheme.

Other key learning from the Resettlement Programme has been the strong degree of support and cooperation from different organisations to make it work. In particular a strong partnership approach was adopted between the District Council, the County Council and the Police.

There is clearly a potential risk however that asylum seekers could be subject to negative reaction. If the Council agrees to participate in this programme similar arrangements to the Refugee Programme would need to be established. This would be to both determine the most suitable location for potential properties and to best manage the impact of dispersal accommodation once it is established.

7.7 Legal, Policy, Staffing, Planning, Environmental, Health and Safety, Sustainability

No implications.

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Background Papers:
Appendix 1-