

Asylum Accommodation and Support

Policy Development

This paper outlines current and planned future arrangements for the provision of asylum accommodation and support services in Scotland; summarises the implications for local services of these arrangements; and seeks approval for ongoing work to engage with and lobby UK Government in this regard.

Summary and Recommendations

At the December 2017 meeting of the Community Wellbeing Board, Cllr Jennifer Layden, Glasgow City Convener for Equalities and Human Rights, tabled an amendment which was considered in addition to a substantive agenda item on the New Scots refugee integration strategy. This was in the context of Glasgow City Council registering interest in being involved in the tendering process for the provision of asylum accommodation and associated services once the current contractual arrangements come to an end in 2019. The Council experienced significant difficulties in this regard, which were noted by the Board, and asked COSLA to provide a report to the next meeting, outlining the implications for local services of the current and future contractual arrangements.

The request from Glasgow City Council can be placed in the context of wider work being undertaken by COSLA, through its Migration, Population and Diversity (MPD) Team, to support the provision of sustainable services for asylum seekers and refugees, and to engage positively with UK Government and other key partners in this regard.

This paper therefore invites the Board to:

- i. Note the work that COSLA has been coordinating over a number of years, as well as its engagement with UK Government, Scottish Government, Glasgow City Council and other key partners, in relation to the provision of asylum accommodation and associated services;
- ii. Note the implications for local services of the current and planned future contractual arrangements for the provision of asylum accommodation and services;
- iii. Agree that COSLA, together with key partners, continues to engage with UK Government as a means of managing the impact of the current contractual arrangements, and informing the process around the introduction of new asylum contracts from 2019; and
- iv. Agree that COSLA and our local government partners across the UK continue to lobby UK Government for the development of appropriate funding and structures that support the key role that local government and our partners play in supporting the dispersal of asylum seekers in Scotland.

References

Previous reports covering this topic:

- Community Wellbeing Board December 2017 – Item 10(b) Asylum Accommodation and Support Services Contract

Migration, Population & Diversity Team
March 2018

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Policy Development

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Context

2. The Immigration and Asylum Act 1999 introduced a UK-wide dispersal policy for asylum seekers as a means of easing pressure on authorities in the south east of England that had previously dealt with the large majority of people seeking asylum in the UK. In 2000 the Home Office and Glasgow City Council signed a formal contract for the dispersal of asylum seekers to the city. Since then, Glasgow has hosted the vast majority of asylum seekers that have come to Scotland and it continues to be the sole dispersal area in Scotland.
3. In 2005 the Home Office introduced a new asylum dispersal contract which involved competitive tendering and saw new private and voluntary sector contractors, as well as the City Council, providing accommodation in Glasgow. These contractual arrangements came to an end in 2012. Following a competitive tendering process in 2012, Serco was awarded a five-year contract (which was then extended for a further two years to 2019) for the provision of accommodation and associated services for asylum seekers in Scotland. This is known as the COMPASS contract and Serco currently accommodates around 4,000 asylum seekers in the city under this contract.
4. The Home Office is now tendering for the delivery of a new ten-year contract from 2019. This is known as the Asylum Accommodation and Support Contract (AASC). An associated advice contract is also being introduced in 2019. This is known as Advice, Issue Reporting and Eligibility (AIRE).

Role of COSLA

5. COSLA's Migration, Population and Diversity (MPD) team is funded by both UK and Scottish Government to support the approach that Scottish local government takes to migration. This includes councils' work with asylum seekers and refugees, as well as with economic migrants. A summary of the key policy areas which the team is currently involved in can be found on the team website at: <http://www.migrationscotland.org.uk/our-priorities/current-work>.
6. The UK Government has, over a number of years, funded the team to provide a Strategic Migration Partnership (SMP) which acts as a focal point for the sharing of expertise, advice and vital information between the Home Office, its asylum accommodation provider, local government and other statutory services in order that a joined up approach can be taken to asylum-related matters. In practice, this currently involves the following key areas of work:
 - i. The management and administration of a property procurement protocol which governs the level of consultation required of the current accommodation provider prior to their procuring of any accommodation for housing dispersed asylum seekers in Glasgow. This protocol involves COSLA, the Home Office, Serco, and

- key statutory services in Glasgow including the City Council and Health and Social Care Partnership (Education Services, Asylum and Refugee Services and the Asylum Health Bridging Team) and Police Scotland (Safer Communities);
- ii. The coordination of strategic discussions between the Home Office and local authorities in relation to the role that local government can play in supporting asylum dispersal in Scotland. This has included organising meetings with councils across Scotland to enable the Home Office to outline its ambition to widen dispersal beyond Glasgow and, in recent months, discussions in relation to the new contractual arrangements from 2019 onwards; and
 - iii. The administration and co-chairing of the New Scots Asylum Sub Group. This group has met since the establishment of the first New Scots refugee integration strategy in 2014, and continues to meet under the new strategy which runs from 2018 to 2022. An outline of the key aims and objectives of the group can be found at: <http://www.migrationscotland.org.uk/uploads/NewScots2.pdf> (PDF document, pp. 28-31 in particular). In addition, COSLA co-chairs the New Scots Housing Sub Group. This has a specific remit in relation to the 'move on' period for new refugees who have had their asylum claims accepted.

Implications for Local Services

7. There is no doubt that the arrival of thousands of asylum seekers in Glasgow over the last seventeen years has had positive impacts on the city. Glasgow now has a growing, relatively young and culturally diverse population and the arrival of migrants in general, and asylum seekers specifically, has played a significant role in this transformation.
8. The arrival of asylum seekers has also revitalised communities and facilitated the continued provision of some services that would no longer have been viable without their presence. This includes the boosting of falling school rolls in certain communities, with anecdotal evidence that attainment levels in these schools have improved. A wide range of specialist services have also developed, both within statutory services and the third sector. This has enabled Glasgow to be well placed to support the integration of asylum seekers in the city.
9. However, it must be highlighted that, for a number of years, Glasgow City Council received funding from the Home Office to facilitate dispersal and the impact of the receipt of this over more than a decade cannot be underestimated. No such income is available under the current asylum contract, and it is expected that this will continue to be the case under the new AASC. This makes the current Home Office ask for broader local authority involvement outwith Glasgow very challenging.
10. It should be noted that additional funding is now being provided to support the role that local authorities in England play in relation to asylum dispersal. This will provide funding for c.50 Local Authority Asylum Support Liaison Officers (LAASLOs) in approximately 20 English local authority areas. However, the funding, which comes from the UK Government's Controlling Migration Fund, is being channelled through the Ministry of Housing, Communities and Local Government and, as such, is not available to Scottish local authorities. UK Government would argue that Scottish Government has a role to play in funding such work, while Scottish Government's position is that it is unacceptable to use England only funding to support an intervention covering a reserved matter, not least given the Home Office's desire to widen asylum dispersal across the whole of the UK. Whatever the merits of these respective positions, it is clear that no funding is currently forthcoming to support the work of Scottish local government in this regard.
11. While the Syrian Resettlement Programme has highlighted the willingness of local authorities to play their part in supporting the UK's humanitarian obligations on a voluntary

basis, it has also shown that councils only wish to be involved in such work when it is well planned, adequately financed and local authority led. Although councils which are not currently dispersal areas may have developed expertise in supporting refugees through the Syrian Resettlement Programme, many have expressed significant concern that the current model of delivery and the lack of funding to provide services to asylum seekers is a real barrier to their involvement.

12. In addition, the reverse auction e-bidding process utilised for the tendering of the asylum accommodation contracts in 2012 drove funding down to levels which COSLA and our local government partners across the UK argued would be unsustainable. We maintain that this remains to be the case, with impacts being felt not only by asylum seekers but also by the communities to which they are being dispersed. In particular, challenges exist around:

- i. Increased use of low cost, privately rented housing;
- ii. Disproportionate placement and concentration of asylum seekers in areas already dealing with significant social and economic challenges;
- iii. Increased and unpredictable pressure placed on local statutory and voluntary services that are seeking to provide services with little or no funding to do so;
- iv. A lack of accountability to local services and communities, with statutory services often struggling to access the necessary information and data regarding the people who are being dispersed; and
- v. Negative public perceptions and media coverage as a result of the additional pressure being placed upon communities and services.

13. There are also significant challenges at the end of the asylum process, both in cases where refugee status is granted and where there is a negative decision. Key areas of concern for local government are in relation to:

- i. People who have been granted refugee status but who do not receive mainstream benefits within the 28 day 'move on' period between a positive decision being made and their removal from the asylum support system;
- ii. Asylum seekers who receive a negative decision and have no recourse to public funds, but who local authorities have a statutory responsibility towards. Local authorities receive no funding to cover the significant costs incurred supporting this cohort of vulnerable people; and
- iii. Asylum seekers who receive a negative decision and are subject to removal but who are neither removed nor supported by the Home Office and left without means of support further to having exhausted all means of appeal. Again, no funding is currently provided to mitigate the significant community, social and economic costs that ensue as a result of their destitution.

14. In addition, many local volunteers and third sector organisations continue to play a significant role in seeking to mitigate negative impacts, often with very limited funding to support their work. COSLA is currently undertaking mapping work to obtain a clearer picture of the true costs to communities in this regard and is also commissioning work to refresh technical guidance for local authorities in relation to their obligations to people who have no recourse to public funds. There is significant public interest in this work, not least because of the Equalities and Human Rights Committee's recent inquiry and subsequent report into [Destitution, Asylum and Insecure Immigration Status in Scotland](#).

Ongoing Engagement and Lobbying

15. As a means of addressing the concerns highlighted by Glasgow City Council at the previous Board meeting regarding the Council's expression of interest in tendering for the

AASC contract, COSLA facilitated a meeting between the Council Leader, Cllr Susan Aitken, and the then Minister for Immigration, Rt Hon Brandon Lewis MP. This meeting took place on Monday 18 December 2017 and was also attended by COSLA Community Wellbeing Spokesperson, Cllr Kelly Parry, and the Cabinet Secretary for Communities, Social Security and Equalities, Angela Constance MSP.

16. The meeting gave Cllr Aitken the opportunity to outline her significant concerns in relation to the procurement process for AASC, and the barriers preventing Glasgow City Council from engaging more fully in the process. The contractual arrangements under both COMPASS and the new AASC contract have effectively excluded local authorities from meaningful participation in the tendering processes and have favoured large private sector providers that have experience of bidding for contracts of this nature, and are able to significantly undercut any potential bidders from the public sector. However, many questions remain regarding the sustainability of this approach in terms of the costs to communities and local public services. The outsourcing model has also been most recently called into question by the collapse of the construction company Carillion.
17. Notwithstanding these concerns, COSLA does recognise that there are significant challenges for the UK Government in managing the asylum system, especially in the context of the large-scale displacement caused by recent world events. As such, we seek to continue working constructively with the Home Office, as well as a wide range of partners, to find sustainable solutions which meet the needs of asylum seekers and the communities where they reside.
18. We have sought to work closely with the Home Office throughout the consultation period for the new AASC contract. This work began in October 2016 when the project team in the Home Office responsible for the delivery of AASC had an initial meeting with COSLA, Scottish Government, Glasgow City Council and other statutory services to discuss their plans for the new contract. It was followed by an engagement session held under the auspices of the New Scots strategy and its Asylum Sub Group in December 2016, and then a further meeting involving statutory services and Scottish Government in July 2017.
19. With the tendering process for AASC now underway, COSLA is again working through the New Scots structures to undertake 'bidder engagement' meetings which will enable key partners to hear from each of the bidders for the new contract and give these potential contractors an opportunity to address particular issues or areas of concern. This will then be followed up by a report to the Home Office outlining key findings. This is an approach that worked well in 2011 when COSLA hosted similar meetings prior to the awarding of the current COMPASS contract.
20. In addition, we intend to undertake similar engagement work in relation to the new asylum advice contract – known as Advice, Issue Reporting and Eligibility (AIRE) – which will also be commencing in 2019. As such, an initial meeting with the AIRE implementation team is taking place under the auspices of the New Scots Asylum Sub Group in March 2019.
21. COSLA is also engaging with the Independent Chief Inspector for Borders and Immigration in relation to their current inspection of the provision of accommodation to asylum seekers. Due to very short timescales, COSLA SMP has only been able to undertake limited consultation with partners. However, a joint submission from COSLA SMP, Glasgow City Council and Glasgow Health and Social Care Partnership is being finalised at the time of writing and will be accompanied by an invite to the Independent Chief Inspector to visit Glasgow to follow up on our initial submission with more in depth engagement.

22. Finally, we continue to work with our local government partners in England, Wales and Northern Ireland, both through our respective local government associations, and the network of SMPs that exist across the UK. The concerns of partners in Scotland mirror those being highlighted elsewhere and we have a collective desire to develop structures which meet the needs of everyone seeking refuge in this country, and the needs of the communities in which they reside. As such, we are currently coalescing around the following key themes with a view to making a joint submission to UK Government in the coming weeks:

Sustainable funding

As was highlighted above, the level of funding provided through the current accommodation contracts has been significantly reduced when compared with previous funding arrangements, not least because of the inappropriate use of a reverse auction e-bidding mechanism during the COMPASS tendering process. While we welcome the increased levels of funding that we understand will accompany the new AASC contracts, we are concerned that the cumulative effect of years of underfunding will be difficult to reverse without significant additional investment in the communities which host asylum seekers.

A more strategic role for local government

We believe that there is a need for the relationship between the Home Office, their contractors and local authorities to be reframed in recognition of the central role that councils have to play in relation to asylum dispersal. There needs to be a shared agenda on managing the impact of migration and asylum across national and local government, with greater engagement with local government at a strategic level. As democratically elected community leaders and conveners of local partnerships, local government should not be seen as 'just another stakeholder'. As such, local authorities wish to see formal involvement in the contracts; from design, to decision and then through to implementation.

Ensuring accountability and transparency

There should be a clear mechanism for checks and balances built into any new system so that local authorities can express concerns around decisions that will impact on their communities at any stage and with any provider or sub-contractor, and then have these acted upon as a matter of priority. This needs to be based on shared, transparent and real time data and information exchange. There is a model of good practice which can be built on in relation to the procurement protocol currently in operation, but this needs to be underpinned by genuine partnership and greatly improved data sharing.

Supporting integration

A new partnership approach to dispersal must also include the provision of adequate funding to allow councils and their partners to support the integration of individuals and families. The level of funding that has been removed from asylum has made problems around provision an inevitability and has acted as a 'cost shunt' to local areas. It also acts as a significant impediment to any new local authorities agreeing to become dispersal areas. The aim should be to deliver good outcomes, both for the asylum seekers themselves and for the communities in which they are placed.

Voluntary and flexible

While not disagreeing with the principle of more equitable dispersal, there would be concerns about any move towards compelling or pressurising local authorities to become involved. Instead, a voluntary, 'place based' approach should be taken that is flexible enough to reflect the differing role that different local authorities and regions may see for themselves and is able to respond to changes in the numbers and types of arrivals. Such an approach should also recognise that it will be very difficult for some parts of the country

to be involved in dispersal. There are questions, for instance, as to whether it is appropriate to disperse asylum seekers to remote and rural areas, particularly when no funding is currently provided to support integration or address any potential community cohesion issues. There will also be challenges for the Home Office to consider with respect to, for example, asylum seekers' differing access to the asylum determination process, reporting arrangements and the provision of adequate legal representation.

Managing impacts

The current accommodation contracts have resulted in the dispersal and concentration of asylum seeking families and adults in just a few areas, contingency issues and, in some areas, reduced capacity to support resettlement. We need to move from a contracting model that places undue focus on accommodation and, specifically, on the availability of cheap accommodation. Due to the differing cost of accommodation across the country, we may need to look at more sustainable solutions on how best to support asylum seekers and refugees. Authorities should be asked to take asylum seekers based on their capacity to do so, rather than on the cost of accommodation in their area.

Learning from and joining up other Home Office programmes

There are multiple schemes in operation for supporting refugees – and a corresponding number of ask of local government and local communities to support such schemes. It is vital that all schemes are fully aligned, and funded, to ensure councils are able to offer proper support and are able to continue to provide vital services for their local community. There will be an impact on cohesion if local services become or are perceived to be overstretched. We have welcomed government's increasing recognition of the need to link across related programmes and hope that the AASC and AIRE contracts offer a further chance to explicitly acknowledge the need to align programmes.

23. In short, Scottish local government has an excellent track record of supporting refugees and asylum seekers. We have shown that programmes that are coordinated and aligned at a local level will be most effective in meeting the needs of vulnerable people, and will also minimise negative impacts on local communities. However, programmes must be appropriately funded if strategic and operational expertise and innovative practice are to be fostered.

Summary and Recommendations

24. At the December 2017 meeting of the Community Wellbeing Board, Cllr Jennifer Layden, Glasgow City Convener for Equalities and Human Rights, tabled an amendment which was considered in addition to a substantive agenda item on the New Scots refugee integration strategy. This was in the context of Glasgow City Council registering interest in being involved in the tendering process for the provision of asylum accommodation and associated services once the current contractual arrangements come to an end in 2019. The Council experienced significant difficulties in this regard, which were noted by the Board, and asked COSLA to provide a report to the next meeting, outlining the implications for local services of the current and future contractual arrangements.
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- Council and other key partners, in relation to the provision of asylum accommodation and associated services;
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 - iv. Agree that COSLA and our local government partners across the UK continue to lobby UK Government for the development of appropriate funding and structures that support the key role that local government and our partners play in supporting the dispersal of asylum seekers in Scotland

Migration, Population & Diversity Team
March 2018