

	Health and Wellbeing Board Thursday 14 January 2021
Title	Update on contingency accommodation of asylum seekers in Barnet
Report of	Liz Cowie, Assistant Director - Strategy and Communications
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	None
Officer Contact Details	William Cooper, Deputy Head of Strategy – Strategy and Engagement william.cooper@barnet.gov.uk 020 8359 2236

Summary

The COVID-19 pandemic has created a bottleneck in the usual dispersal processes for asylum seekers. This has led to large numbers being accommodated temporarily in hotels. Around half of these ‘contingency hotels’ are in London. Barnet currently has around 800 asylum seekers accommodated in four hotels across the borough.

In the autumn, local community organisations began flagging concerns to the council that some of the basic needs of these people were not being adequately met. We have also received a number of age assessment appeals from unaccompanied asylum seekers who were assessed as adults on entering the country but have subsequently been found to be minors.

In order to safeguard the health and wellbeing of these people while they are residents in our borough the council has established an operating model to escalate and tackle these issues and ensure that the asylum seekers are receiving the support they need. This model comprises a structure of multiagency meetings enabling issues from the ground to be reported up to the relevant agencies. The council also provides a strategic coordination role to ensure the local response is properly coordinated and effective.

The Home Office has stated that the use of contingency hotels will continue for several months to come, and the hotels in London will be the last to be decommissioned. This

therefore remains a live and ongoing situation which the council will keep under constant review.

Recommendations

1. That the Board note the update in this report

1. WHY THIS REPORT IS NEEDED

- 1.1 The UK has a statutory responsibility to provide people who have entered the country seeking asylum with temporary accommodation and subsistence expenses while their application for asylum is being considered. This is in accordance with the Immigration and Asylum Act 1999.
- 1.2 The responsibility to provide this support to adults and families lies with the Home Office. Usually, a number of commissioned accommodation providers working under contract from the Home Office will disperse the asylum seekers into temporary accommodation. The COVID-19 pandemic has caused a bottleneck in this process. In order to maintain social distancing and avoid making people homeless during the pandemic, support for asylum seekers was maintained longer than normal after their application decisions. This has led to a shortage of dispersed accommodation and consequently, asylum seekers are being accommodated in hotels – known as contingency hotels. Around half of the contingency hotels being used are located in London. Former military barracks are also being used as contingency accommodation, but only for lone adult males.
- 1.3 Local authorities were first notified of the decision to use contingency hotels in the Spring of 2020, and asylum seekers have been accommodated in hotels in Barnet since April. The number has grown significantly since the autumn though, and there are currently around 800 people housed in four hotels across the borough.
- 1.4 In 2019, seven regional contracts were awarded for the provision of asylum seeker accommodation. These are known as the Asylum Accommodation and Support Services Contracts (AASC), and the AASC provider for the Southern region (including London) is Clearsprings Ready Homes. Under the contract, the AASC provider is required to ensure that asylum seekers are housed in accommodation that is maintained to an adequate standard and condition. They must also ensure that asylum seekers are supported through the asylum system and able to receive a health screening, and access to primary healthcare.

- 1.5 While unaccompanied asylum-seeking children (UASC) are the direct responsibility of the local authority, adults and families awaiting an asylum application decision often have no contact with the council. Their asylum applications are handled by the Home Office and while their decision is pending, they have no recourse to social housing or any benefits. It is only when an asylum seeker triggers a need for one of our services such as social care or education that we would usually become involved.
- 1.6 Nonetheless, the council has a duty to safeguard all residents of the borough and ensure their public health needs are met. Concerns about the scale of the current situation, and the speed with which numbers were growing began to be flagged to officers by local refugee charities in October. London-wide public health networks also began to discuss the situation from the perspective of COVID-19 outbreak planning.
- 1.7 Also around this time, the council's Family Services department began to receive a higher than usual number of age assessment appeals.
- 1.8 An initial judgement on whether an unaccompanied asylum seeker is under 18 is conducted by Home Office authorities at the first point of contact (usually at the port of entry into the country). If deemed to be over 18 they are then placed in dispersal accommodation, which currently means a contingency hotel. If an individual has been incorrectly judged to be an adult, they can dispute this decision and be referred to local children's social care team for an age assessment. This assessment is conducted by two experienced social workers and is informed by case law. If the social workers are satisfied that a person is in fact under 18, they are then placed into care.
- 1.9 Age assessment is a contentious issue, and some asylum seekers may be tempted to falsely claim they are minors. However, almost all of the age assessment appeals made to the council so far have been upheld. This indicates a serious flaw in the Home Office's process for assessing age that risks putting vulnerable young people at further risk. The increased caseload is also placing pressure on the children's social care team. Something that has already been raised with the Home Office.
- 1.10 Another area of concern for council service capacity is the potential for increased numbers of people presenting as destitute should their claim for asylum be unsuccessful. When asylum applications fail, the individuals or families concerned can become classified as 'destitute', and should they meet thresholds for social care they become the responsibility of the local authority. If they don't meet social care thresholds, they can end up sleeping rough, placing greater demand on VCS-run night shelters in the borough.
- 1.11 It became clear in October that due to the scale and complexity of the situation there was a need for the council to become involved at a strategic level. As a minimum, to ensure that we are properly appraised of all the issues on the ground, but also to provide coordination for the many different agencies involved.

- 1.12 The Strategy team in Growth and Corporate Services have a central responsibility for community participation and engagement, and the council's strategic relationship with the voluntary and community sector (VCS). They were therefore best placed to provide coordination support to the agencies working with the hotels. A number of spontaneous meetings had already taken place that the team then formalised into an operating model shown in the table on the following page. The Strategy team provides administrative support to each meeting and ensures that issues are escalated up through the structure where necessary.
- 1.13 Barnet's VCS has been customarily swift to respond and keen to help. Donation of clothing and other essential items was quickly organised at grassroots level and locations have been sourced in which to store and process these.
- 1.14 Providing direct support to asylum seekers requires specialist skills and experience. Barnet is fortunate to have two organisations in the borough who can provide this: Barnet Refugee Service and Persian Advice Bureau. The council has agreed with Clearsprings Ready Homes that these two organisations, in partnership with the national charity Care 4 Calais are our approved VCS partners.
- 1.15 Care 4 Calais works with asylum seekers across the whole dispersal accommodation estate and can therefore provide useful insight on the situation in other boroughs. Their larger size and reach also means they are better placed to assist with donation processing than our local charities.

Operating model for coordinated support to Barnet asylum seekers

Meeting	Agencies present	Purpose	Frequency
Asylum Hotels meeting	Chaired by the Deputy Chief Executive of the council and attended by senior reps from: <ul style="list-style-type: none"> • Clearsprings Ready Homes • Home Office • Families Services • Public Health • Community Safety • Police 	To discuss any urgent issues escalated from other meetings that require discussion with the Home Office and its commissioned accommodation provider	Monthly
Asylum Seekers Task Group	An internal LBB meeting chaired by the Deputy Head of Strategy and attended by: <ul style="list-style-type: none"> • Housing Options • Families Services Leaving Care team • Community Safety • Public Health • Adults and Health Joint Commissioning 	This group was convened to ensure that the various council teams involved with asylum seekers are joined up and can share information.	Fortnightly
Asylum Seekers Strategy Group	Chaired by the Head of Primary Care Commissioning at North Central London CCG and attended by representatives from: <ul style="list-style-type: none"> • NHS Mental health services • NHS dental services • Clearsprings Ready Homes • Migrant Help (a national charity that holds the contract for advice and guidance to asylum seekers) • Care 4 Calais • Barnet Refugee Service • Persian Advice Bureau • LBB Public Health 	Focusing on health, this meeting seeks to tackle any issues impacting the health and wellbeing of the asylum seekers, and to unblock any barriers to them accessing primary care. The involvement of the VCS organisations enables reporting directly from the frontline and can help escalate any problems their staff experience gaining access to clients.	Weekly
VCS Asylum Network	Wider VCS network including: <ul style="list-style-type: none"> • All refugee/asylum support organisations • Foodbanks • Faith groups • Members 	An opportunity for Barnet's VCS groups to come together and coordinate support in the community <ul style="list-style-type: none"> • Coordinating wider charitable support offer • Agreeing donation processes • Identifying community assets • Flagging issues to Task Group 	Ad hoc

1.16 **Current issues**

Several issues have been identified in recent weeks that the council is working with partner agencies to resolve. The three most pressing ones are listed below.

1.17 **Access to primary care and health screening**

Clearsprings Ready Homes report that there are still significant numbers of asylum seekers accommodated in Barnet hotels who have not received a health screening nor a GP registration. This is of particular concern, as many of these people have suffered considerable physical and mental trauma on their journeys to this country. The problem seems to be mainly caused by a combination of insufficient capacity of staff at the hotels, and administrative hold-ups with GP practices. The weekly Strategy Group meetings are working on resolving these as a matter of urgency. The CCG has offered to provide training to volunteers in registering clients for GPs, and VCS organisations are also poised to help.

1.18 **Access to hotels for VCS outreach workers**

The council believes that the professional skills and experiences (often lived experiences) of our approved refugee charities mean that their staff the best placed to provide immediate support to the asylum seekers in the hotels. They can communicate in the asylum seekers' first languages and have extensive knowledge, not only of the asylum system but the local community and its services.

1.19 Hotel providers have a duty to keep the asylum seekers safe, so gatekeeping is very important. These are extremely vulnerable people, who are at risk of targeting by far-right activists. Unfortunately, this has already happened. Earlier in the year some activists were able to enter one of the hotels and harass the asylum seekers accommodated there. Access became even stricter during the recent COVID-19 lockdown. Despite this, the council has made it clear to Clearsprings Ready Homes that hotel security staff should allow VCS outreach workers to visit wherever possible. An agreement had been reached on what ID and documentation is required to provide security clearance for VCS staff, but now a new issue with DBS criminal records checks has arisen that once again prevents their access. This is with the Home Office to unblock and the council is seeking an urgent resolution.

1.20 **Age assessments**

As mentioned above, a worrying number of unaccompanied asylum seekers who have been assessed to be over 18 by the Home Office, are successfully appealing this decision with our Children's Social Care team. Some of these young people have been assessed by the council to be closer to 16 years old. This points to a serious failing in the age assessment process at ports of entry, leading to vulnerable young people being placed in dispersal accommodation when they should be in care.

As well as the safeguarding risk this presents, it is also placing a burden on our social care staff. The age assessment process and subsequent care

placements are adding significant pressure to the workload of this team. The discovery of these young people among the hotel cohort has also taken our UASC caseload over the threshold of 0.07% of population, making us eligible for additional funding. Again, the Home Office has been informed of this and we await a resolution.

1.21 Other issues being worked on include ensuring that all children and young people of statutory age are in education, and that the process of acquiring HC2 forms is sped up. These are the forms that asylum seekers require in order to receive free prescriptions.

1.22 **Next steps**

The current use of contingency hotels was always intended to be a temporary measure. However, Home Office and Clearsprings Ready Homes have stated that they expect the hotels to be in use until at least March 2021 and possibly as late as the summer. Therefore for now, the current working model and frequency of meetings will be maintained.

1.23 In order to better support our two local refugee charities, emergency funding from the COVID-19 Community Response Fund has been made available to allow them to increase their outreach worker capacity for the next six months.

1.24 Further updates will be brought to this Board as necessary.

2. REASONS FOR RECOMMENDATIONS

2.1 Officers feel that the working model and meeting structure we have established provides an effective framework to support the ongoing situation. It provides a communication chain from the frontline right up to senior leadership of the council and other statutory agencies. It also entrusts the specialist work of providing direct support to asylum seekers to the VCS organisations who have the requisite skills and experience.

2.2 This is an evolving situation, and we will therefore keep the structure under constant review to ensure it remains effective and is delivering the right outcomes.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 None.

4. POST DECISION IMPLEMENTATION

4.1 This report is to note the update.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

This work supports two of the Barnet 2024 Corporate Plan priorities: that:

our residents live happy, healthy, independent lives with the most vulnerable protected; and that we create safe and strong communities where people get along well.

5.1.1 This work supports the Health and Wellbeing Strategy theme: Wellbeing in the community, and its priority to create circumstances that enable people to have greater life opportunities.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 There are no direct financial implications to the council from the use of contingency hotels for asylum seekers. The council has made some funding available to two local VCS groups to provide additional outreach capacity in providing direct support on the ground.

5.3 **Social Value**

5.3.1 NA

5.4 **Legal and Constitutional References**

There is no legal basis to the strategic coordination the council is providing in response to the asylum hotel situation. However, the Council has a duty under Section 2B(1) of the National Health Services Act 2006 to take such steps as they consider appropriate to improve the health of people in their area, which includes:

- providing information and advice;
- providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way);
- providing services or facilities for the prevention, diagnosis or treatment of illness,

Additionally, should asylum seekers have eligible needs under the Care Act 2014 or be assessed to be children requiring assistance under the Children Act 1989, they may then receive statutory services from the council

The terms of reference for the Health and Well Being Board includes:

(5) Specific responsibilities for: Overseeing public health and promoting the prevention agenda across the partnership.

5.5 **Equalities and Diversity**

Asylum seekers have certain special protections due to their status, however they also share - as a minimum - the protected characteristic of Race under the Equality Act 2010.

5.5.1 The aspects of the Act which apply most to this situation however are the provisions in the Public Sector Equalities Duty requiring the council to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

The council is working hard with its partners to ensure that no matter how briefly they are resident here, these asylum seekers have the same access to their rights and entitlements as anyone else in the borough.

Asylum seekers are often the target of discrimination and abuse from far-right groups. The council is alert to this risk and both the Police and Community Safety team attend the monthly Asylum Hotels meetings. All the agencies involved with the response are careful not to share any information that might put the asylum seekers at increased risk.

5.6 **Corporate Parenting**

As mentioned above, incorrectly age-assessed UASC are adding significantly to the children's social care caseload.

5.7 **Consultation and Engagement**

No formal consultation is planned at present. There is ongoing informal engagement with the approved VCS organisations.

5.9 **Insight**

The council and CCG receive data reports from Clearsprings Ready Homes at least once a week. These provide a breakdown of the cohort in each hotel, including gender, age, and language spoken. Clearsprings have also agreed to pass details of school age children to the Multi Agency Safeguarding Hub (MASH). There remain some gaps in the data however. Asylum seekers are often reluctant to state their country of origin (or even their spoken language). Often it is only the outreach workers from refugee charities that are able to earn sufficient trust from asylum seekers to obtain the information needed to support them effectively.