Item 1

12th October 2023

Glasgow City Council

Emergency Committee

Annemarie O'Donnell, Chief Executive and Susanne Millar, Chief Officer Glasgow HSCP

Impact of Home Office Decisions via the Streamlined Asylum Process

Purpose of Report:

To update the Emergency Committee on upcoming Home Office plans to make circa 2,500 batched asylum decisions in Glasgow by the end of the year and associated impacts.

Recommendations:

a) Note the content of this report
b) Notes the financial impact of this decision could cost £53.4m
c) Note that the UK Government have said they are not providing funding to cover these costs
d) Note the operational impact of this decision, the limited capacity within available accommodation in the city and the requirement for increased use of B&B and hotel accommodation
e) Authorise the Chief Executive to take decisions as outlined in para 3.6 and to report these decisions retrospectively to the relevant committee.
f) Consider the available routes in escalating these matters to the Home Office and UK Government as well as any legal avenues given the wider financial, reputational and economic implications.

Ward No(s): Citywide: ✓

Local member(s) advised: Yes ☐ No ☐ consulted: Yes ☐ No ☐

***PLEASE NOTE THE FOLLOWING**:*

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1. Purpose

1.1 The purpose of this paper is to provide an update on the decision of the Home Office to accelerate decision making in relation to asylum claims. We expect circa 2500 decisions to be made by the end of the calendar year which will place the already stretched Homelessness Service under unprecedented pressure.

1.2 The paper outlines the likely impact on the Health and Social Care partnership (HSCP) in 23/24 and the preparations being made to respond.

1.3 The potential cost to the HSCP could be as much as £53.4m taken as a full year effect and based on known numbers.

1.4 The UK Government have confirmed that they will not provide any financial support to dispersal areas impacted by these batched decisions.

2. Streamlined Asylum Process

2.1 Glasgow has been a proud dispersal city for more than two decades and Glasgow City Council has repeatedly affirmed its belief that asylum seekers are welcome in Glasgow and have added to the diversity of our city.

2.2 In June 2023, the UK Government announced a streamlined asylum process to address the significant backlog of asylum decisions and reduce the numbers of asylum applicants in contingency and dispersed accommodation.

2.3 In essence, the streamlined process applies to households from countries who are more likely to receive a positive asylum decision - these countries being Afghanistan, Eritrea, Libya, Syria, and Yemen.

2.4 When a person receives a positive decision, they are given 28 days to leave the accommodation that is provided by Mears. At that point, any household that has received leave to remain in the UK can seek assistance to the Local Authority under homelessness legislation.

2.5 The homelessness application will be processed in the normal manner with those with leave to remain having the same rights to emergency and settled accommodation as any other household. Beyond this, asylum seekers in any part of the UK can make a homelessness application in any local authority area, as they are deemed not to have established a local connection during their stay in Home Office accommodation.

2.6 In April this year more than 600 positive decisions were made in Glasgow which required a major response from our asylum refugee team.

2.7 This figure has since translated to increased homelessness applications and an increase in the use of hotel and B&B placements, particularly for single males. There are currently 170 households with positive decisions which were made in April staying in Hotel/B&B accommodation.

2.8 This has put significant additional pressure on the rest of the homelessness service and has led to a rise in rough sleeping in the city.

2.9 Limited accommodation options remain to deal with the further decisions that the Home Office are due to make in the coming weeks.

2.10 The HSCP, in partnership with COSLA estimates that there is likely to be an additional **2,500** asylum decisions made with **1,800** of these decisions likely to be positive decisions.

2.11 Based on current data, approximately 77% of households who receive a positive decision in Glasgow go on to make a homelessness application with the local authority. Should this remain the same, this would mean an additional **1,386** homelessness applications would be made to the HSCP by the end of December 2023.

2.12 Available data also shows that households who receive positive asylum decisions and go on to make a homelessness application are more likely than the domestic homelessness population to require temporary accommodation, likely since they do not have the same ability to draw on family or social support in the city, as the “domestic” homelessness population.

2.13 Current data shows that 74% of households within the Asylum and Refugee Support Team are currently occupying temporary accommodation. Assuming this remains constant, the additional positive decisions will mean that **1,026** (of the 1,386 households above) will likely require temporary accommodation pending an offer of settled accommodation being made.

2.14 In addition to accessing temporary accommodation, those who receive positive asylum decisions are also entitled to an offer of settled accommodation under the 1987 Act. Current modelling, as part of the HSCP’s Local Letting Plan (LLP) evidence that homelessness services require 60% of available social lets in the city for homeless households. This additional demand on homelessness services will increase this ask of RSLs.

2.15 Current data indicates that around 82% of homelessness applications made by those who were previously asylum seekers result in a permanent tenancy being secured. Based on the above modelling, this would mean the HSCP would need to secure **an additional 1,138 lets** to meet this increase in demand.

2.16 It is not clear where these additional lets could be met from considering there is already a shortfall of around 1,600 properties to deal with current pressures.

2.17 This will lead to people spending longer periods in Hotel/B&B accommodation – where it can be sourced as finding this accommodation is becoming more challenging.

2.18 If it is unable to be sourced, this could lead to an increase in rough sleeping.

2.19 Further to the pressures laid out above, it is also anticipated that Glasgow may see an increase in those seeking to access homelessness services from cities outwith Glasgow. In the last 6 months, 147 applications were made from households who had received their leave to remain elsewhere in the UK but chose to present to Glasgow as homeless. The approximate cost of accommodating this number in hotels for a full financial year is £5.671m. Given that Scottish legislation (unlike English legislation) does not recognise accommodation provided by the Home Office as establishing a local connection, Glasgow must accept cases which emanate from other countries within the UK.

2.20 In addition to the positive decisions, COSLA have also indicated that there is likely to be around **700** negative asylum decisions.

2.21 These households will have No Recourse to Public Funds (NRPF), and therefore have no rights to access homelessness services.

2.22 There will be additional pressure on the local authority especially in cases where there are children involved or where households are presenting with additional social care needs i.e., mental health issues which can often be prevalent in a population who have experienced trauma.

2.23 Given the scale of these figures there is every likelihood that Glasgow will see an increased pattern of people with NRPF rough sleeping like other parts of the UK requiring intense outreach capacity from third sector, health and social care support for those who are deemed most vulnerable. For those families with children we retain a statutory role in providing accommodation through section 22 of the Social Work Scotland (1968) Act and must acknowledge that this will have a further bearing on financial pressures.

3. Resources

3.1 As a result of the Home Office decision, the number of people likely requiring homelessness assistance will increase and the HSCP's Homelessness Service will find it exceedingly challenging to meet the additional demand. There is particular concern in relation to the HSCP's capacity to:

- Respond to the level of new demand from asylum seekers who have received positive asylum decisions who can seek assistance under homelessness legislation
- Provide all the necessary support to promote community integration
- Coordinate ongoing health and education needs for families who will be required to relocate across the city
- Provide arrangements for those with complex needs including those with complex disabilities etc
- Provide emergency accommodation for asylum seekers
- Secure permanent accommodation

The cost of the additional staffing resource 2-3 year fixed term is detailed below.

- 1 Full Time Grade 8 Team Leader - £76,699 (inc on-costs)
- 1 Full Time Grade 7 Social Worker - £63,155 (inc on-costs)
- 2 Full Time Grade 7 Senior Social Care Workers - £126,310 (inc on-costs)
- 1 Full Time Grade 6 Business Support - £51,955 (inc on-costs)
- 3 Full Time Grade 6 SCWs - £155,865 (inc on-costs)
- 1 Full Time Janitor/Security Guard - £35,908 (inc on-costs)

TOTAL STAFFING COST - £509,892

These figures remain conservative estimates and we will be required to consider the enhancement to our Asylum Bridging Health Team once we are clearer on the pace of these projections.

3.2 Beyond the funding issues, given the additional requests for emergency accommodation it is unlikely that the HSCP would be able to source the number of accommodation placements to meet demand. Furthermore, any placement would be within commercial hotels which would lead to a significant rise in the number of breaches of the Unsuitable Accommodation Order, which could in turn see the Local Authority subject to legal challenge.

3.3 In addition to capacity within the HSCP's services, it is also unlikely that third sector partners, such as Flexible Homelessness Outreach Support Services (FHOSS) would have the capacity to provide support to these additional households without significant increases in staff which would present further financial challenges.

3.4 Given the outlined housing and emergency accommodation challenges within the city it is highly likely that an alternative source of accommodation will be required.

3.5 This will require extensive scoping and a return to contingency planning arrangements previously considered during the planning for Ukrainian arrivals such as rest centre scenarios. We acknowledge these arrangements will be less than adequate and will likely generate legal challenge and reputational risk as well as exacerbating longer term health and wellbeing problems for those affected.

3.6 This situation could unfold extremely rapidly, and officers may need to make urgent decisions to respond to destitution.

4. Financial Implications

4.1 A report to the IJB in September highlighted an overspend of £21.4m for the IJB. This included a £10.1m overspend in Homelessness Services. This outturn reflected current demand pressures for this service but did not include the scale of positive decisions which has been highlighted by the latest information from the Home Office. This is due to the timing and the ongoing discussions which has taken place with the Home Office around the financial challenge this would place on these services.

4.2 It is difficult to estimate how quickly asylum-seeking decisions will be taken by the Home Office, however, we are anticipating that the number and pace will increase.

4.3 We have costed two different scenarios for Glasgow City. For both, we are maximising the allocation of all refugee funding available to us some of which is one off from the Scottish Government and therefore is not recurring and will have financial impacts in 24/25.

Scenario One – Assumptions - Worst Case Scenario

- 2,500 asylum applications, of which 1,800 receive a positive decision
- Of these 77% (1,386) make a homeless application and of these 77% (1,026) require temporary accommodation
- Decisions are taken at pace and are made within a 9-week window
- Cost of B & B is £120 per day net of housing benefit
- 6 months costs for cases which come from outwith Glasgow
- Additional staffing Costs of £0.510m included

Outturn would increase from £10.1m to £27.6m.

Scenario Two – Assumptions – Current Rate of Decisions

- Current rate of positive decisions continue at the pace we experienced at the start of the year
- This will reduce the number of homeless applications requiring temporary accommodation in 23/24 to 692 (compared to 1,026 above) and also stagger these more evenly across the remainder of the year
- Cost of B & B is £120 per day net of housing benefit
- 6 months costs for cases which come from outwith Glasgow
- Additional staffing Costs of £0.510m included

Outturn would increase from £10.1m to £15.8m

4.4 It should also be noted that these proposals are predicated on existing hotel/B&B costs which are under immense pressure. In the event a financial framework was available to support this approach we would be required to

source additional hotel /B&B accommodation which we anticipate would be more costly. It should also be noted that larger family-based hotel provision will also cost considerably more than the estimated £120 per night.

4.5 At this stage we cannot advise what the most likely scenario will be in relation to the financial challenges, and it will be dependent on the Home Office's capacity to respond to this volume of applications.

4.6 There is no doubt however that it has the potential to be significant and add to a service area which is already under pressure. The full year implications for 24-25 also need to be considered especially given that the cost implications for 23-24 have been reduced because of the non-recurring funding which has been received.

4.7 If all 1,026 applications proceed **it represents an additional pressure of £53.4m** for this service in 24-25 in addition to the underlying budget pressure of £16.7m, representing a potential total budget pressure of £70.1m for 24-25.

4.8 This cannot be managed by the IJB and assistance would be required to fund this gap and discussions with GCC and the Scottish Government will take place.

4.9 The UK Government have confirmed that they will not provide any financial support to Local Authorities to deal with these pressures.

5 Mitigations and actions

5.1 Work is currently being undertaken by the HSCP to mitigate the impact of the significant increase in demand for refugee services and accommodation in Glasgow. This will require working multi-agency working across the HSCP/GCC/COSLA/RSLs/Third Sector.

Actions being taken forward include:

- Glasgow HSCP have re-established fortnightly asylum pressures multi agency meetings including health and social care senior management, Asylum Bridging Health Team, third sector, NRS , COSLA, Police Scotland, DWP, Education, and property and development team (Chaired by Assistant Chief Officer Public Protection)
- Proposed staffing structure in response to emerging risks now drafted which will widen support for assessment and support including those at most risk.(led by Asylum Head of Service)
- Risk register has been created and subject to fortnightly multi agency review
- Engagement with Homelessness third sector partners have occurred with work streams identified to support increasing B & B population. (Asylum Pressures Group)

- Glasgow HSCP Chef Officer initiated meetings with colleagues in other authorities across the UK stimulating consensus on concerns and requirement for common modelling in response to risk.
- Retaining risk management approach as described in June IJB report and limiting impact of local connection in the absence of a financial framework being applied. (HSCP Homelessness Services)
- Scoping out appropriate large properties, owned by Glasgow City Council, that can be utilised as first stop accommodation for refugees with positive decisions. (GCC to Lead)
- Liaising with the Home Office and Mears to receive additional information in relation to the plans for decision making i.e., speed of decision making (HSCP/COSLA)
- Providing briefings and additional information to wider GCC and HSCP services including Education, Health, and Social Work teams.
- Closely collaborating with locality homelessness teams, temporary accommodation team, etc. to ensure that all services are aware of the forthcoming changes.
- Liaising with RSL partners to provide updates on the current situation and the impact that this will have on the HSCP's Local Letting Plan. (HSCP Homelessness Services)
- Work is underway in considering any viable options for refurbishing existing properties that could offer a solution to the proposed increase in demand. There should be an acknowledge however that any options will likely incur significant capital costs, time and a requirement to provide in reaching support.
- Options of rest centre type scenarios are also being considered however experience has informed that these options are significantly limited.

5.2 There are a number of obvious risks and it is proposed that a formal risk register is developed. The risks include:

- Safeguarding/health and wellbeing risks to the asylum population effected by positive asylum decisions who will be required to reside in temporary emergency accommodation for extended periods.
- Longer term financial planning for Ukraine has yet to be confirmed. Glasgow currently have circa 250 Ukrainian Displaced Persons (UDP) residing in hotels and 80 residing in host family arrangements. Scottish Government are currently focusing on the reduction of warm welcome hotel accommodation however clarity on the longer-term financial support for UDP who present as homeless remains outstanding.
- Social Unrest connected to the acceleration of asylum seekers leaving Mears properties
- Social Unrest/Risks to integration as the needs of the asylum seeking population is balanced with an already overheating homelessness system
- The projections in this report will have a significant impact on Glasgow City HSCP strategic priorities as described in our Rapid Rehousing Transition Plan (RRTP) and will principally impact upon our ability to

reduce the use of Hotel/B&B accommodation for our homeless population.

- Inability to balance budgets in HSCP and GCC. There is a requirement to seek legal advice on the financial impact likely to occur and scenario planning based on proposed modelling will be necessary.
- Glasgow Homelessness Services are experiencing a steady increase in judicial reviews. This is likely to increase given the lack of available accommodation and the HSCP inability to fulfil some statutory functions.
- Glasgow is currently experiencing a small increase in rough sleeping which is subject to weekly review however there should be an acknowledgement that this will increase further with a likelihood that single males will be adversely affected especially those with negative decisions and subject to NRPF.
- Glasgow HSCP homelessness Service are now reporting a shift in the proportion of positive asylum seekers residing in hotels. Positive asylum seekers now account for 170 out of the existing 710 residing in hotels which is increasing weekly.

5.3 There is an additional risk that our proposed figures could be larger. This view is based on the attractiveness of Glasgow as a large metropolitan city with the view that the city offers greater opportunities for employment etc. Since the relaxation of local connections in Nov 2022 these options have become more available for anyone residing in outlying local authorities. It is reasonable to assume this will compound the existing risks given the current trend of people arriving from other local authorities.

6 **Recommendations**

6.1 The Emergency Committee are asked to:

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c) Note that the UK Government have said they are not providing funding to cover these costs
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