



Derby City Council

INTEGRATING COMMUNITIES BOARD 27 March 2017

ITEM 8

Report of the Strategic Director of Communities and Place

Asylum Dispersal

SUMMARY

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| 1.1 | This report provides an overview of the UK Asylum Dispersal Policy and Asylum Dispersal to Derby. |
| 1.2 | The UK has a legal obligation under the Immigration Act 1999 to provide support to asylum seekers who would otherwise be destitute. The COMPASS contracts, managed by the Home Office, allow us to meet this obligation and the policy is to disperse destitute asylum seekers into local areas where local authorities have formally agreed to participate in dispersal. G4S is the COMPASS contract provider for the East Midlands and manages both Initial Accommodation and Dispersed Accommodation. |
| 1.3 | <p>The Immigration and Asylum Act 1999 sets out three circumstances under which asylum seekers are entitled to accommodation:</p> <ul style="list-style-type: none"> • while the Home Office is considering whether an individual is eligible for support (Section 98 of the Act) • while the Home Office is assessing the application (Section 95), and • when the application for asylum has been refused but the applicant has yet to leave the country (Section 4). <p>The vast majority of people are housed under Section 95 and the number of people accommodated on this basis has almost doubled over the lifetime of the COMPASS contracts.</p> |
| 1.4 | <p>Whilst the number of Asylum Seekers dispersed to Derby has fluctuated over time, there has been a steady increase to levels similar to those in the period 2001 - 2004. The December 2016 count for Section 95 applicants was 726 Asylum Seekers dispersed to the city. In December 2015 the figure was 705, and December 2014 the figure was 574.</p> <p>It is important to note this figure reflects the number of Section 95 applicants who's claims are being assessed and not the cumulative total of dispersed applicants.</p> <p>Figures for Section 4 applicants are not published at Local Authority level.</p> |

RECOMMENDATION

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| 2.1 | To consider the information provided and make any comments and relevant recommendations on the content. |
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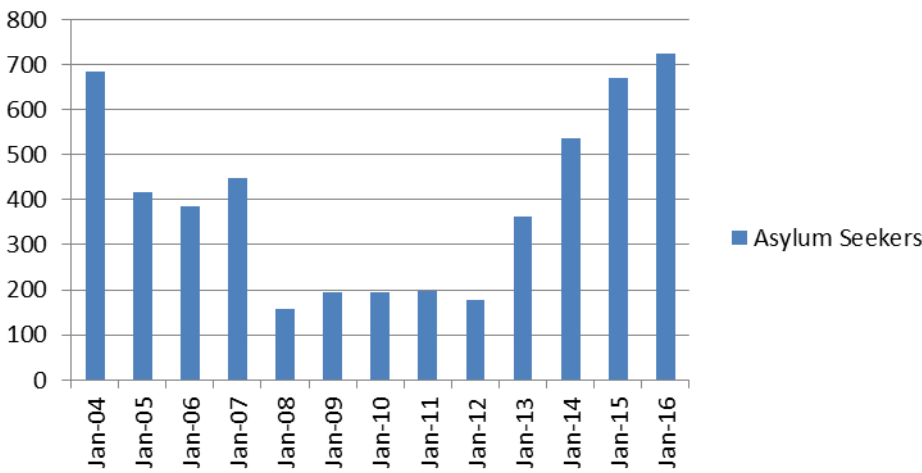
REASONS FOR RECOMMENDATION

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| 3.1 | To ensure that the Board has sufficient opportunity to make any comments or recommendations in relation to the issues discussed. |
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SUPPORTING INFORMATION

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| 4.1 | <p>Migration status and Definitions</p> <p>An asylum seeker is someone who is seeking permission to remain in a country not their own, and to be given protection by being recognised as a refugee under the above convention</p> <p>A refused asylum seeker has:</p> <ul style="list-style-type: none">• been unable to prove that they would face persecution back home• has been denied protection by the authorities• has been told to leave the country <p>A refugee is a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, or membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country. The term is also applied in the UK to asylum seekers granted a positive decision and leave to remain in the UK.</p> <p>An irregular migrant has:</p> <ul style="list-style-type: none">• never reported to the authorities, or• over-stayed their visa, or• their asylum application and appeal has been refused, and is no longer reporting/known to the authorities. <p>An Economic Migrant is a person who:</p> <ul style="list-style-type: none">• has moved to another country to work• could be illegal or legally resident, depending on how they entered the country• might have a legal work permit, right to work under European Union regulations or may be working illegally |
| 4.2 | <p>Asylum Support Categories</p> <p>The Immigration and Asylum Act 1999 sets out three circumstances under which</p> |

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| | <p>asylum seekers are entitled to accommodation:</p> <ul style="list-style-type: none"> • while the Home Office is considering whether an individual is eligible for support (Section 98 of the Act). This is provided through Initial Accommodation Centres. There are seven IA centres in the UK and the nearest to Derby is located in Birmingham and Wakefield. They are typically large full-board hostels with shared bedrooms, living and social areas. • while the Home Office is assessing the application (Section 95), <ul style="list-style-type: none"> ○ People seeking asylum are excluded from claiming mainstream welfare benefits and in most cases from working. They can access support in the form of housing and/or basic living expenses while in the UK. This support scheme was set up by Part VI of the Immigration and Asylum Act 1999 and provides two support packages – support for those whose asylum claims are on-going and support for refused asylum seekers. Section 95 support is aimed at asylum seekers whose claims are on-going, who are destitute or about to become destitute, and their dependents. If their claim has been refused and fully determined, they will not be eligible for asylum support, but they may be eligible for section 4 support • when the application for asylum has been refused but the applicant has yet to leave the country (Section 4). <ul style="list-style-type: none"> ○ Section 4 of the Immigration and Asylum Act 1999, allows for the provision of support to refused asylum seekers who are destitute and meet a narrow set of criteria. To qualify for section 4 support, a former asylum seeker has to meet certain conditions found in the Immigration and Asylum - Provision of Accommodation to Failed Asylum-Seekers - Regulations 2005. <p>The vast majority of people are housed under Section 95 and the number of people accommodated on this basis has almost doubled over the lifetime of the COMPASS contracts.</p> |
| 4.3 | <p>Asylum Dispersal – Section 95</p> <p>The UK has a legal obligation under the Immigration Act 1999 to provide support to asylum seekers who would otherwise be destitute. The COMPASS contracts, managed by the Home Office, allow us to meet this obligation and the policy is to disperse destitute asylum seekers into local areas where local authorities have formally agreed to participate in dispersal. Derby has been a dispersal area since 2001.</p> <p>Not all local authorities are currently willing to accept asylum accommodation and, despite Government attempts to persuade more local authorities to participate, at the end of September 2016 just 121 local authorities out of a total of 453 (27%) had Section 95 asylum accommodation within their boundaries.</p> |
| 4.4 | <p>Whilst the number of Asylum Seekers dispersed to Derby has fluctuated over time, there has been a steady increase in more recent years:</p> |

| | <div><h3>Asylum Seekers</h3><table><thead><tr><th>Date</th><th>Asylum Seekers</th></tr></thead><tbody><tr><td>Jan-04</td><td>680</td></tr><tr><td>Jan-05</td><td>410</td></tr><tr><td>Jan-06</td><td>380</td></tr><tr><td>Jan-07</td><td>440</td></tr><tr><td>Jan-08</td><td>160</td></tr><tr><td>Jan-09</td><td>190</td></tr><tr><td>Jan-10</td><td>190</td></tr><tr><td>Jan-11</td><td>190</td></tr><tr><td>Jan-12</td><td>170</td></tr><tr><td>Jan-13</td><td>360</td></tr><tr><td>Jan-14</td><td>530</td></tr><tr><td>Jan-15</td><td>670</td></tr><tr><td>Jan-16</td><td>720</td></tr></tbody></table></div> <p>The December 2016 count for Section 95 applicants was 726 Asylum Seekers dispersed to the city. In December 2015 the figure was 705, and December 2014 the figure was 574.</p> <p>It is important to note this figure reflects the number of Section 95 applicants who's claims are being assessed and not the cumulative total of dispersed applicants.</p> <p>Figures for Section 4 applicants are not published at Local Authority level.</p> <p>Nationally, the main countries of origin for asylum seekers are:</p> <ul style="list-style-type: none">• Syria• Afghanistan• Somalia• Sudan• South Sudan <p>In 2016, asylum seekers from 35 countries were dispersed to Derby, with the top 5 being:</p> <ul style="list-style-type: none">• Iran• Iraq• Sudan• Afghanistan• Eritrea | Date | Asylum Seekers | Jan-04 | 680 | Jan-05 | 410 | Jan-06 | 380 | Jan-07 | 440 | Jan-08 | 160 | Jan-09 | 190 | Jan-10 | 190 | Jan-11 | 190 | Jan-12 | 170 | Jan-13 | 360 | Jan-14 | 530 | Jan-15 | 670 | Jan-16 | 720 |
|--------|--|------|----------------|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|--------|-----|
| Date | Asylum Seekers | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-04 | 680 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-05 | 410 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-06 | 380 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-07 | 440 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-08 | 160 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-09 | 190 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-10 | 190 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-11 | 190 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-12 | 170 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Jan-13 | 360 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 4.5 | <p>Asylum Dispersal Accommodation</p> <p>Under the terms of the COMPASS contracts dispersal accommodation can only be located in areas where the local authority has agreed to take asylum seekers, up to a defined “cluster limit” of no more than one asylum seeker per 200 residents</p> <p>G4S is the government provider for the COMPASS contract in the East Midlands. In proposing properties G4S must consider a range of social, housing and community</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <p>cohesion factors and consult with the local authority. Local authorities have 72 hours to consider a request from G4S and can withhold consent for properties to be used if they have specific concerns. If the local authority withholds consent to a specific property but has agreed to accept asylum accommodation in principle, then G4S can seek permission from the Home Office to override the local authority's objections.</p> <p>G4S currently uses 216 properties in Derby, predominantly within the private rented sector.</p> <p>Properties are located across 11 wards, with the greatest concentration – 144 - within the Arboretum and Normanton Wards.</p> |
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OTHER OPTIONS CONSIDERED

5.1 None

This report has been approved by the following officers:

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| Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s) | Andy Thomas - HoS |
| For more information contact: Background papers: List of appendices: | Pop Gill 01332 643044 purjinder.gill@derby.gov.uk None Appendix 1 – Implications |

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| IMPLICATIONS |
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Financial and Value for Money

- 1.1 The council and Derby Homes provides emergency support to Asylum Seekers who have been granted leave to remain through the provision of temporary accommodation, access to the Local Assistance Scheme, social care provision.

Legal

- 2.1 None directly arising. As stated, The UK has a legal obligation under the Immigration Act 1999 to provide support to asylum seekers who would otherwise be destitute.

Personnel

- 3.1 None directly arising

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- 4.1 None directly arising

Equalities Impact

- 5.1 None directly arising

Health and Safety

- 6.1 None directly arising

Environmental Sustainability

- 7.1 None directly arising

Property and Asset Management

- 8.1 None directly arising

Risk Management and Safeguarding

- 9.1 None directly arising

Corporate objectives and priorities for change

10.1 Building Stronger Communities