

# **STATEMENT OF BEST PRACTICE IN JOINT WORKING BETWEEN GLASGOW CITY COUNCIL AND REGISTERED SOCIAL LANDLORDS**

## **ASYLUM SEEKERS AND REFUGEES**

### **1. PURPOSE OF STATEMENT**

- 1.1 The aim of this statement is to provide a basis for positive partnership working between the Glasgow Housing Association Ltd, other Registered Social Landlords and Glasgow City Council in the provision and effective management of temporary accommodation leased to Glasgow City Council for use by Asylum Seekers and Refugees. The statement will also set out referral arrangements for the provision of permanent accommodation for refugees from Glasgow Housing Association Limited and the other Registered Social Landlords. This will include reference to participation in the agreed Homeless Duty Protocol set out in the Statement of Best Practice No.11.
- 1.2 This Statement will:
- *Set out the operational responsibilities of Glasgow Housing Association Limited and Glasgow City Council under the contract for provision of temporary accommodation for asylum seekers.*
  - *Reflect the information sharing protocol between Glasgow City Council, GHA and other RSLs.*
  - *Provide guidance for RSLs and Glasgow City Council support staff.*
  - *Identify effective good practice procedures.*
  - *Identify routes into wider community integration.*
- 1.3 This document is one of thirteen Statements of Best Practice which attempt to foster productive joint planning and working arrangements between Glasgow City Council (GCC) and Registered Social Landlords (RSLs).

### **2. CONTEXT**

- 2.1 Glasgow City Council is one of three providers in the City contracted by United Kingdom Borders Agency to provide accommodation and support to asylum seekers dispersed to and arriving in Glasgow. Glasgow Housing Association and other Registered Social Landlords are subcontracted to lease an agreed number of accommodation units to Glasgow City Council for the provision of this accommodation.

- 2.2 Glasgow City Council Asylum Seekers Support Project (GASSP) allocates and manages the accommodation and provides housing support to the occupants. This team identify and arrange co-ordination where necessary of other support needs and liaise with the other statutory and voluntary agencies.

### **3. PRINCIPLES**

- 3.1 All parties who deliver should adhere to social landlord responsibilities on equality and legislation on equal opportunities. Such issues will be developed through the liaison arrangements referred to earlier to ensure compliance with the Glasgow City Council, Glasgow Housing Association, and Registered Social Landlords policies on equal opportunities.
- 3.2 The key aims of this Statement of Best Practice are to:
- Comply with the terms of the contractual agreements between GCC and GHA and between GCC and other RSLs.
  - Co-operate and collaborate with various agencies, statutory and voluntary, within a coherent framework to ensure that the needs of asylum seekers and refugees are met quickly and effectively.
  - Comply with our equal opportunities and other policies to ensure fair and equitable access to the range of service provision as appropriate.
  - Provide information and advice in appropriate languages through interpreters and in translated formats as appropriate.
  - Ensure that Asylum Seekers and Refugees are treated with respect, dignity, compassion and fairness.
  - Ensure the safety of Asylum Seekers and Refugees is fully considered within the role of landlord.
  - Monitor the quality and effectiveness of all aspects of support being provided to Asylum Seekers and Refugees.

#### **4. LIAISON ARRANGEMENTS**

4.1 Formal liaison arrangements between GCC and GHA are as follows:

- Quarterly strategic meetings between GHA senior staff (General Manager and manager of Housing Support and Accommodation Service) and senior officers of Glasgow City Council (lead officer of Social Work Services with responsibility for immigration) and other partners e.g. Scottish Refugee Council. Such discussions will inform capacity planning, service and support issues.
- Quarterly contract performance meetings will take place between GHA's Local Shared Services Development Managers and the GASSP property manager to secure accommodation and review arrangements.
- The Glasgow Asylum Seeker Support Project has identified patch based staff who, through direct management will agree key contacts in Local Housing Organisations (LHOs) and RSLs to progress day to day operational issues.
- Liaison between GHA's Housing Support Team and the Refugee Support Team (RST) or GASSP via Section 5 referrals to identify support needs and secure permanent housing.
- GHA and Glasgow City Council will attend quarterly meetings arranged by COSLA consortium to discuss strategic issues and national initiatives.

4.2 There will be separate liaison arrangements for integration issues (see Section 7).

#### **5. REFERRAL AND DECISION MAKING PROCESS**

5.1 The Refugee Support Team (RST) will discuss housing options, assess needs and provide a casework service based on a homeless assessment, ensuring there is a continual housing support service where required. The Caseworker should ensure that the referral to the GHA or other RSL contains details of counselling and advice given.

- 5.2 When an Asylum Seeker household receives a *Leave To Remain* decision, the case is referred to the RST. At this point the Homelessness Duty Protocol process will apply (see Statement of Best Practice no. 11). In summary, Refugee households will have the following options:
- Remain in Glasgow by means of a Section 5 referral to the Glasgow Housing Association or other Registered Social Landlords for permanent tenancy.
  - Remain in Glasgow and rent from a private landlord/move into owner-occupation sector.
  - Leave Glasgow and go elsewhere in the UK.
- 5.3 The Home Office has been reviewing cases that did not receive a positive decision in the first instance and, during 2007/8, granted Leave to Remain to an additional 700 families. Some of these families have chosen to remain in Glasgow and the GASSP is managing their resettlement. Where households have been granted Leave to Remain and they occupy GHA accommodation, GASSP will seek to make a permanent offer of accommodation in the first instance. If this is not appropriate then the routes in 5.2 will be pursued.

### ***Section 5 Referral arrangements***

- 5.4 Referral will be made direct from Glasgow Homelessness Partnership to GHA's Support & Accommodation Team or RSLs by means of the agreed Section 5 referral process. The Section 5 referral will confirm that the household has been counselled, and its support needs assessed, and will detail the support package put in place as set out in the Homelessness Duty Protocol.

## **6. TENANCY SUSTAINMENT**

- 6.1 People who are newly arrived in Glasgow are likely to need support with very practical issues about using their accommodation. Some of this will be the same for any new tenant, e.g. running the heating system, but some may be more basic e.g. changing a light bulb or using the cooker. Asylum Seekers may find they have been awarded a favourable decision very quickly and will require more intensive support on even the most basic of issues. Each case must be assessed on an individual needs base and supported accordingly.

- 6.2 A contributing factor in tenancy breakdown is the lack of initial support to address practicalities associated with setting up a tenancy. Refugees have been identified as being a particularly vulnerable group. Subject to continuing funding from the Scottish Government, GASSP will be available to continue support after clients have signed up on a permanent basis and the contact details should be included on the Section 5 referral. This support will deal with issues such as applying for Housing Benefit, advice on utility bills, and any general welfare rights issues. RST/GASSP will assist refugee households to obtain a National Insurance number, complete relevant welfare benefit and housing benefit forms, and advise of any additional information required.
- 6.3 Households may need some support to access financial and employment opportunities and to understand their tenancy conditions. The Refugee Information Pack distributed by the Glasgow Homelessness Partnership meets this need. On award of a favourable decision, further specific support can be made available or signposted e.g. GHA resource directory, Positive Action in Housing, or the Scottish Refugee Council.
- 6.4 GCC has agreed to assess support needs and to provide some ongoing support, as required, into the tenancy. RST/GASSP Caseworkers will take on this role for refugee households.
- 6.5 RSL staff should ensure that the household handover process is followed by:
- Completion of a change of circumstances Housing Benefit form.
  - New tenant is aware of responsibility for fuel/utility bills and is given debt advice.
  - Signpost for financial and social support if required.
  - Set up a settling-in visit at which these issues can be revisited and to ensure that support is being accessed.
  - Discuss tenancy responsibilities.
  - Use interpreting services as appropriate.
  - Link the tenant in with local community regeneration (wider action) projects.
- 6.6 If there are problems, the RSL should discuss these with the household and encourage them to seek support from GASSP or the RST.

### ***Advice and information***

- 6.7 The tasks of integration, move to citizenship and refugee support are shared by the UK Government, Scottish Government and Glasgow City Council. The Home Office has funded the Scottish Refugee Council to provide support through REIS and this would be open to all refugees granted status through the new asylum model. The support provided through this scheme should be holistic and cover a range of topics, including education, employment and training, welfare advice, housing advice and other general advice.
- 6.8 Glasgow City Council has a particular role to play in supporting any vulnerable new tenant. The Council would seek to carry out this role in conjunction with the local Registered Social Landlord. The package of support would be personalised to the tenant's needs but could include education, employment and training advice, health information, signposting for crime prevention information and general welfare advice. The City Council would carry out this function as they would for any other new tenant to help them sustain their tenancy.

## **7. INTEGRATION, EQUALITY and DIVERSITY**

- 7.1 Successful integration is a key factor in people being able to sustain tenancies. Social Landlords and Glasgow City Council should develop links with the local integration networks set up by the Scottish Refugee Council.
- 7.2 As GHA's transformational regeneration progresses, Asylum Seeker households will increasingly be accommodated in new areas. Similarly, as GCC continues to set up new accommodation arrangements with other RSLs, all partners should work together to prepare host communities. Although GCC is the lead partner, the Scottish Refugee Council and other voluntary and faith organisations have considerable expertise in this area.
- 7.3 Ensuring that GCC, GHA and other RSL policies and practices are subject to an equality impact assessment (EQIA) will help avoid disproportionate impacts on Asylum Seeker and Refugee communities and assist integration.
- 7.4 All parties working with Asylum Seekers and Refugees should adhere to social landlord responsibilities and legal and regulatory requirements in relation to equality and diversity.

## **8. YOUNG UNACCOMPANIED ASYLUM SEEKERS.**

- 8.1 The route to permanent accommodation for young unaccompanied asylum seekers is the same process as set out in Statement of Best Practice no. 6: Young People Leaving Care.

## **9. INFORMATION EXCHANGE**

- 9.1 In making a referral, GCC will provide all relevant information about the homeless applicant (in line with the Homelessness Duty Protocol). Where there are problems after the commencement of a tenancy, the Statement of Best Practice no.3: Sharing of Client/Tenant Information will apply.

## **10. TRAINING**

- 10.1 Joint training for RSL and relevant GCC and CHCP staff will be arranged in accordance with the Statement of Best Practice No. 12: Joint Training.

## **11. MONITORING**

- 11.1 Monitoring of the implementation and impact of this Statement of Best Practice will be undertaken via routine progress reports submitted by CHCPs and the development of an overarching Statement of Best Practice Performance Framework.

## Appendix 1

### LEGISLATIVE AND POLICY CONTEXT

Legislation relevant to this Policy includes:

- **Universal Declaration of Human Rights 1948** established a moral framework that guaranteed everyone with the right to live their lives in safety and dignity. Two of the more relevant articles are:
  - Article 3: Everyone has the right to life, liberty and security of person.
  - Article 14.1: Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- **Immigration and Asylum Appeals Act, 1993** introduced restrictions on the housing rights of asylum seekers by removing the statutory duty to provide permanent accommodation for those in priority need.
- **The Asylum and Immigration Act, 1996** further eroded the rights of asylum seekers by removing the right to any assistance or accommodation under the then Parts I and II of the Housing (Scotland) Act for 'in country' applicants. This meant that local authorities could not give even temporary accommodation subject to immigration control. The Act also removed any entitlement to state benefits for all 'in country' asylum seekers.
- **The Social Work (Scotland) Act 1968** provided the legal framework to a successful challenge to Government and enabled a ruling that local authorities had a duty to provide care in cash or kind to support destitute asylum seekers in accordance with duties under section 12 of the Act.
- **The Children (Scotland) Act 1995** also contributed to the above ruling.
- **The 1999 Asylum and Immigration Act** removed entitlement to support. The general responsibility to support asylum seekers was transferred to the Home Secretary. The Act introduced a dispersal programme where asylum seekers were dispersed to accommodation and support in various locations throughout the UK on a no choice basis.
- **Race Relations Act, 1976 and Race Relations (Amendment) Act, 2000** makes it unlawful to discriminate either directly or indirectly on grounds of race, colour, and nationality, ethnic or national origins. The 2000 Amendment Act extended the duties to promote racial equality and eliminate unlawful discrimination to all public authority functions. In addition to the specific duties impose upon public authorities the Act also places a general duty on other specified bodies, including RSLs, to promote racial equality.



- **Housing (Scotland) Act 2001** introduced a duty for local authorities and RSLs to promote equality. It also extended to RSLs the legal provision (section 10,3 (c)) that household income cannot be included in the criteria for excluding applicants from waiting lists.
- **Nationality, Asylum and Immigration Act 2002** introduced induction centres to register and assess asylum seekers; accommodation centres and removal centres to detain asylum seekers who face removal from the UK.
- **Homelessness etc (Scotland) Act 2003** amends local connection to cover a person who was previously an asylum seeker accommodated in National Asylum Support Service (NASS) accommodation under the Immigration and Asylum Act 1999. If such a person has been given leave to remain in the UK, granted refugee status, and is therefore eligible for assistance under the homelessness legislation they cannot automatically be deemed to have a local connection to the local authority area in Scotland in which they were accommodated under the 1999 Act. This means that they will be free to present themselves as a homeless person to any local authority in Scotland and that authority having the responsibility for providing them with housing, should they meet the other relevant homelessness criteria.
- **Asylum and Immigration Act (Treatment of Claimants, etc.) 2004** creates a single tier of appeal for asylum seekers - the asylum and immigration tribunal - to consider all appeals against immigration and asylum decisions, limits eligibility for refugee support, and makes provision of accommodation to failed asylum seekers who cannot return home immediately upon certain conditions.